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62D CONGRESS
3d Session

SENATE

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# WELDON BRINTON HEYBURN

(Late a Senator from Idaho)

## MEMORIAL ADDRESSES

DELIVERED IN THE SENATE
AND THE HOUSE OF REPRESENTATIVES
OF THE UNITED STATES

U. S. SIXTY-SECOND CONGRESS
THIRD SESSION

Proceedings in the Senate
March 1, 1913

Proceedings in the House
February 23, 1913

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# DEATH OF HON. WELDON BRINTON HEYBURN

PROCEEDINGS IN THE SENATE

MONDAY, *December 2, 1912.*

The first Monday in December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the third session of the Sixty-second Congress commenced on this day.

The Senate assembled in its Chamber at the Capitol.

Augustus O. Bacon, a Senator from the State of Georgia, took the chair as President pro tempore under the order of the Senate of August 17, 1912.

The President pro tempore called the Senate to order at 12 o'clock noon.

PRAYER

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, in whose presence we now stand, we are come together in Thy name and to do Thy will. At the opening of this session of Congress we invoke Thy blessing. Without Thee we can do nothing. Until Thou dost bless us, our highest wisdom is but folly and our utmost strength but utter weakness. Bestow upon us, therefore, we humbly pray Thee, wisdom and strength from above, that so we may glorify Thee, accomplishing that which Thou givest us to do.

We come before Thee, our Father, with a deepened sense of our dependence upon Thee. Thou hast made us to know how frail we are. Thou hast showed us that the way of man is not in himself alone, and that it is not

in us who walk to direct our steps. Thou hast called from his earthly labors Thy servant, the Vice President of our Nation. While we thought it was still day Thou didst cause the sun of his life to go down, bringing the night, when no man can work. We murmur not nor repine, our Father, knowing that alike the day and the night are Thine. Thou hast taken from our side fellow laborers and companions, leaving in this Senate empty seats and in our hearts loneliness and sorrow. We can not forget them, our Father, though in the flesh we behold their faces no more. Thou hast removed from his post of duty an officer of this body and hast made us to know that in the midst of life we are in death. Comfort our hearts, we beseech Thee, for all our sorrows, and keep us evermore in Thy love, and though Thou feed us with the bread of adversity and give us to drink of the water of affliction, yet take not from us Thy holy spirit.

We pray Thee to bless the President of the United States. Uphold him by Thy power, watch over him by Thy providence, guide him by Thy wisdom, and strengthen him with Thy heavenly grace. Bless him who shall preside over this Senate, bestowing upon him all things as shall seem good unto Thee. For all who are in authority we pray that they may serve Thee with singleness of purpose, for the good of this people and for Thy glory.

So, our Father, may this session of Congress, begun in Thy name, be continued in Thy fear and ended to Thine honor. Grant us so to labor that by our deliberations we may hasten the time when Thy kingdom shall come and Thy will shall be done on earth as it is in heaven.

In the name which is above every name, hear our prayer. Amen.

DEATH OF SENATOR WELDON B. HEYBURN

Mr. BORAH. Mr. President, it becomes my sad duty to announce to the Senate the death of my late colleague, Hon. W. B. HEYBURN. To those who witnessed his singular devotion to duty in the closing hours of the last session under conditions which all realized imperiled his life, the news of his death came as no surprise. One less determined to perform faithfully the obligations of his high office, one less mindful of the responsibilities which rest upon us here, would have yielded to the solicitation of friends and sought the rest and recuperation which he so much needed. But understanding perfectly the forfeit which he might be called upon to pay, he nevertheless met without hesitancy and with spirit and purpose the exacting duties of that trying session. With equal fortitude and courage he paid the forfeit when the time came to do so.

Senator HEYBURN was a remarkable man, a strong, sturdy, self-reliant, dominant figure. But this is not the time nor the appropriate occasion for extended remarks; upon some other occasion I shall ask the Senate to set aside a day upon which his colleagues may pay tribute to his work and worth as a man and as a legislator.

I offer the following resolutions and ask for their adoption.

The PRESIDENT pro tempore. The Secretary will read the resolutions sent to the desk by the Senator from Idaho.

The resolutions (S. Res. 391) were read, considered by unanimous consent, and unanimously agreed to, as follows:

*Resolved*, That the Senate has heard with profound sorrow of the death of the Hon. WELDON BRINTON HEYBURN, late a Senator from the State of Idaho.

*Resolved*, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. CULLOM. Mr. President, I desire as a further mark of respect to offer the following resolution, and I ask for its present consideration.

The resolution (S. Res. 393) was read, considered by unanimous consent, and unanimously agreed to, as follows:

*Resolved*, That as a further mark of respect to the memory of the late Vice President James Schoolcraft Sherman and the late Senators WELDON BRINTON HEYBURN and Isidor Rayner, whose deaths have just been announced, the Senate do now adjourn.

Thereupon the Senate (at 12 o'clock and 22 minutes p. m.) adjourned until to-morrow, Tuesday, December 3, 1912, at 11 o'clock a. m.

THURSDAY, *December 5, 1912.*

A message from the House of Representatives, by J. C. South, its Chief Clerk, transmitted to the Senate resolutions of the House on the death of Hon. WELDON BRINTON HEYBURN, late a Senator from the State of Idaho.

FRIDAY, *February 7, 1913.*

Mr. BORAH. Mr. President, I desire to give notice that on Saturday, March 1, 1913, after the conclusion of the routine morning business, I shall ask the Senate to consider resolutions commemorative of the character and services of my late colleague, WELDON B. HEYBURN.

MONDAY, *February 24, 1913.*

A message from the House of Representatives, by J. C. South, its Chief Clerk, transmitted to the Senate resolutions of the House of Representatives on the life and public services of Hon. WELDON BRINTON HEYBURN, late a Senator from the State of Idaho.

SATURDAY, *March 1, 1913.*

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, we thank Thee for the gracious Providence which brings us to this day of solemn and reverent memory. As we recall the life and public service of him whom we this day commemorate, we pray Thee to inspire our minds and to give utterance to our lips that we may fitly honor the life which Thou hast called to Thy nearer presence and to Thy higher service.

We pray Thee, our Father, to comfort those that mourn. Uphold them by Thy heavenly grace and grant that neither height of remembered joys nor the depth of sorrows that can not be forgotten, nor the present with its burdens nor the future with its loneliness, may be able to separate them from the love of God which is in Christ Jesus our Lord.

In the name of Him who abolished death and brought life and immortality to light, hear Thou our prayer. Amen.

Mr. Gallinger took the chair as President pro tempore under the previous order of the Senate.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. Smoot and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. BORAH. Mr. President, I offer the resolutions which I send to the desk, and ask for their adoption.

The PRESIDING OFFICER (Mr. Page in the chair). The Senator from Idaho offers resolutions, which the Secretary will read.

The resolutions (S. Res. 489) were read, considered by unanimous consent, and unanimously agreed to, as follows:

*Resolved,* That the Senate has heard with profound sorrow of the death of Hon. WELDON BRINTON HEYBURN, late a Senator from the State of Idaho.

*Resolved,* That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

*Resolved,* That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

# MEMORIAL ADDRESSES

## Address of Mr. Borah, of Idaho

Mr. President: The time during which we are permitted to detain the Senate will not allow even a brief outline of the active and crowded career of our late colleague. We can do no more than pay the brief but sincere tribute of friends and pass on to the duties which crowd upon us in the closing hours of the session. In less hurried hours some one will render a full and true estimate of his work and seek to give adequate honor and praise for his public services. When time shall have revealed more fully the value of his efforts here and disclosed with finer perspective the sturdy outlines of his strong and dominant character, a more dispassionate yet truer measure will be taken and he will assume the place to which he is justly entitled among the virile and forceful figures of the Senate.

We are most impressed now with the thought that he was stricken while yet in the zenith of his intellectual powers and at a time when his lips still held the language of conflict, when his hopes were still high and his ambitions aroused for greater work. While those who watched him here day after day marked his physical decline, he proudly ignored the insidious encroachment of the persistent malady and fell at a time when he was merely waiting to take up again his work and when his whole intellectual being was tense and ready for the obligations resting upon all who serve here. While the unannounced messenger was waiting about to call him he was planning

and thinking of work far ahead and anxiously surveying the future for duties yet to be met and faithfully discharged. While eager and braced for the things which ought to be done, and which we are fitted to do, the summons comes. "Behold, He taketh away, who can hinder Him."

Born in comparatively humble station, surrounded from birth by the influences and environments of a devout and cultured home, reared amid the plainness and excellence of that old Quaker family life, the sanctity and simplicity of which no language can unduly praise, he started upon his career dowered with the most valuable of all estates—a character open, candid, and sturdy, a mind original and independent, and, above all, a broad, wholesome conception of the true relations and responsibilities of life, inculcated nowhere so well as in that school over which presides a devoted and God-fearing mother. No one had a more beautiful conception of home life, a truer, kindlier, broader view of all things which make for its happiness and worth. These views and ideals were among the noble inheritances from his boyhood days.

He had an individuality peculiar and surprising. His mental traits were exceptional. The dominant features of his character were energy, industry, and courage. He was one of the hard-working men of this body, strong in debate, faithful and efficient in the less attractive but more effective work of the committee. We shall seldom witness a more complete sacrifice of comfort and health, a more pointed and direct sacrifice of life to public duties, than we witnessed upon his part for the last several years of his service. All understood this, but if the thought ever occurred to him that he was making such a sacrifice he made no mention of it to his colleagues or his friends. Faithfully, untiringly, efficiently he did his full duty and

met every demand of this arduous service, even until the last hour.

I can not review here the vast work of Senator Heyburn as a legislator. There was no measure in which he did not take an interest. His activities covered the whole field of legislation. His knowledge of details, the status, terms, and provisions of all measures was tremendous. But it is probable that the one legislative measure with which his name will be most conspicuously associated is that of the pure-food law. It was a most difficult measure to bring into effective form and and it was an extraordinary task to secure its passage through Congress. There was and there had been for years a strong opposition to it. But with tireless effort and exceptional determination he whipped a great principle into a practicable, workable measure, and finally secured its enactment into law. It is a monumental piece of work. Its benefit and general good can hardly be overestimated. It is a lasting tribute to his efficiency, energy, and courage as a legislator. It has already been of incalculable benefit to the country and will continue to be a widespreading and permanent blessing to mankind. It is that kind of a monument to public service which time will not destroy nor gratitude soon forget. The State of Idaho takes great pride in his work for this great and beneficent measure.

Mr. President, Addison, the essayist, tells us in his rich, rare old way that once, while visiting a famous art gallery, he observed while there an old man creeping up and down, here and there, from one painting to another, retouching one and all with inimitable skill. So slight was the touch that it seemed scarcely to leave an effect. Continuously and incessantly he labored until through ceaseless effort he wore off every disagreeable gloss, added to all a deeper, richer hue, an infinite mellow-

ness and charm, until all the paintings seemed more beautiful than when they came from the hands of the masters. The old man was Father Time. Standing near to a life that is closed, there appears in spite of all some of that roughness and harshness born of severe and earnest battle. But time smooths off the rough edges, harmonizes and mellows until the tempestuous struggle becomes at last a splendid and heroic poem of passion and duty. The difference of view, the conflict of opinion, the harsh clash of convictions will fade and forever disappear, and our late colleague will be remembered by one and all as an earnest, loyal, gifted, heroic man.

## Address of Mr. Lodge, of Massachusetts

Mr. President: The seventeenth century among the English-speaking people was a period of profound unrest, both in politics and in religion. It brought in its train a great civil war, the Puritan migration to America, and a spirit of religious revolt which left no creed unexamined, no forms and ceremonies, however hallowed by time and association, unquestioned, and which engendered innumerable sects. England and Scotland had broken from Rome a century before at the time of the Reformation. They had escaped the wars of religion which had rent France asunder, and the Thirty Years' War which had devastated and ruined Germany. The religious movement in seventeenth-century England entered upon a new field; it set Protestant against Protestant; it struck at the ecclesiastical hierarchy, assailed the union of church and state, drove some men back to the ancient faith of their ancestors, and at the other extreme found expression in dangerous fighting fanatics like the Fifth Monarchy Men.

Among the sects which then sprang into life was one which at its birth was regarded by the members of the powerful and dominant churches as among the worst examples of uncurbed fanaticism. Its founder was a laboring man, so ignorant that he could not express himself clearly when he wrote his own language, so energetic and with such strength of conviction that as he wandered over England with his immovable hat and leather breeches he gathered followers in every town and hamlet. So strange, so violent, so effective was he that even Roger Williams, the apostle of freedom of conscience, could not abide the doctrines of George Fox. The Old World and

the New World alike beheld with horror the disciples of this strange teacher rushing naked through the streets and into churches, breaking glass and crying out that it was done as a sign to a perverse generation. Under the guidance of Barclay and Penn the extravagances were softened and gradually a sect emerged which, by its numbers and character, played an important part both in England and in America. Stripped of the external and unessential peculiarities like the refusal to remove the hat, the misuse of the pronoun of the second person singular, and the like, it became perceptible even then, as it is very apparent now, that these people, called Friends among themselves and Quakers by a deriding world, stood for a great and noble principle and cherished a very simple and beautiful faith. They held that all men were equal in the sight of God, that every man was a priest and every woman a priestess when they approached the throne of the Most High, and that no ceremonies or titles conferred by human beings could invest anyone with the right to stand between man and his Maker. Their faith was very pure, very austere, very spiritual, possibly too bright and good for human nature's daily food. Perhaps it is for this reason that the sect has diminished in numbers; perhaps it is because their work, a very great work, has been done. But the conception of a free church in a free State, first established in Pennsylvania, now common to the United States, and at last making its way in Europe, is a monument to the doctrines of the Friends which will neither fade nor pass away. As the years went on the Quakers, as they were usually called, rose steadily in importance and in public estimation. The sobriety of their conduct and manners, their diligence and success in business, the purity and honesty of their daily lives, their love of peace, their steady opposition to slavery and to oppression, and their charity ever open armed to the poor and

downtrodden, won the respect and admiration of every community where their modest meetinghouses were seen.

But behind the fair and pleasant exterior, behind the place which they had won for themselves, lay the qualities of character upon which the whole structure rested. The very existence of the sect implied mental and moral qualities of unusual force. At the outset they had continually to face contumely, opprobrium, and a persecution reaching to scourgings, prison, and death. They were in opposition to the world and the world's ways and became indifferent to the censure of a hostile public opinion. They were bound by their tenets to nonresistance and for them were necessary the fortitude and courage which meet the scorn of society, physical suffering, and even death, not with blood warmed by the heady currents of the fight, but cold, unstirred, and chilled by the ridicule and the contempt too often felt for those who will not fight or return blow for blow.

They had only one guide, their own conscience; only one monitor, the inner voice, which told them what was right. Strong men and women these, and, like the strongly marked everywhere, they transmitted these qualities through succeeding generations to their descendants. The outward forms of dress and speech might disappear, but the fearlessness, the independence of thought, the readiness to defy the world for a belief, the unswerving loyalty to principle, were sure to remain. These characteristics all came out in their descendants. Those who laid aside the ancestral doctrine of nonresistance were among the hardest and bravest fighters in the armies of the United States during the Civil War, and, whether in peace or war, no people can be found who will battle more strenuously for what they believe to be right than the men and women of Quaker ancestry.

It may seem, sir, as if I were not speaking at all of the distinguished Senator whose death we lament to-day, and yet every word that I have uttered relates to him, for in trying to depict the qualities of the people whom William Penn led over here into the wilderness I have been explaining and describing Senator HEYBURN. He was of an old, long-established family in Pennsylvania. The blood of the men and women who 200 years before had unshrinkingly faced social ostracism, persecution, and death ran uncorrupted in his veins. He feared nothing, so far as I could see. You might question his opinion; you could never doubt his courage. His abilities were of a high order. He was a good lawyer, a vigorous debater, ready and apt in retort. He had a large command of language, and his sentences fell from his lips well framed, strong, and clear. His industry was untiring, and he strove, to his own injury, but from a high sense of duty, to follow every measure which came before the Senate.

Yet it is not of his abilities nor of his worth as a lawyer and Senator that I think first as with sadness I try to recall him to-day. It is his character and his moral qualities which come most sharply to my mind, and which in his life made a deep impression upon me. I confess when I first met him here I was often exasperated by what seemed to me an almost perverse spirit of opposition, but as I came to know him better I learned to recognize his courage, his high principles, his loyalty to his beliefs, and his faithfulness to duty as he saw it, a fidelity which never faltered or grew pale. I learned, too, that, hard fighter as he was, no resentment ever lurked in his memory when the battle was over, and that underneath the combativeness was one of the kindest and most generous hearts that ever beat. As he cheerfully faced criticism and attack for what he believed to be

right, so did he meet the coming of the end. The hand of fate knocked at the door. He did not complain; he did not flinch; he did not retreat. He had never turned his back on either friend or enemy, and with the same high spirit and unwavering courage he went about his work and stood his ground in the debates and in committee. As I watched him in those last days, often urging him to seek rest and give himself more care, all quite in vain to a man of that nature; as I saw him so calmly ready for the final summons, Browning's great lines kept recurring to my mind:

Fear death?—to feel the fog in my throat,
The mist in my face,
When the snows begin, and the blasts denote
I am nearing the place,
The power of the night, the press of the storm,
The post of the foe;
Where he stands, the Arch Fear in a visible form,
Yet the strong man must go:
For the journey is done and the summit attained,
And the barriers fall,
Though a battle's to fight ere the guerdon be gained,
The reward of it all.
I was ever a fighter, so—one fight more,
The best and the last!
I would hate that death bandaged my eyes and forebore,
And bade me creep past.
No! let me taste the whole of it, fare like my peers
The heroes of old,
Bear the brunt, in a minute pay glad life's arrears
Of pain, darkness and cold.
For sudden the worst turns the best to the brave,
The black minute's at end,
And the elements' rage, the fiend-voices that rave,
Shall dwindle, shall blend,
Shall change, shall become first a peace out of pain,
* * * * *
And with God be the rest!

## Address of Mr. Clark, of Wyoming

Mr. President: Senator Heyburn was a man of affirmative and positive characteristics. Although of Quaker stock, his mind and inclinations were essentially aggressive—always tolerant of the views of others, he yet formed his own opinions and held to them with a consistent and unusual tenacity. One of the kindest and most lovable of men, he never thought of swerving upon any public question by reason of any friendly or personal motives. If one virtue above others was a part of his nature, it was that of an intense and militant patriotism. He had no sympathy with what he considered the assaults of these later times upon the established order of the Government. He believed that the system of government devised and put into operation by the fathers was the work of wise and patriotic men, and that it had been fully tested and proven by the hundred years and more of successful operation, withstanding all the shock and strain of war and the more insidious but even more dangerous attacks in times of peace. He believed in the efficiency of the Constitution to meet all the requirements of our governmental life, and as a safe, sure, and stable foundation of our republican system, and if he had any one fear about the future of his country, it was that demands for amendment to the Constitution to meet immediate popular wishes would so weaken that foundation as to endanger the whole superstructure. In his discussion of public questions he was always fearless, frank, and entirely independent; appreciating, as all men do, present approval, he never bent his views to meet that approval, but held his course direct and unwavering and with full confidence

in the verdict of the future. While Senator HEYBURN was wholly American and gloried in our national growth and greatness, and believed in the full power and strength of the General Government, at the same time he was exceedingly jealous of what he considered the rights of his State, and year after year, in his place on this floor, he resisted to the end certain general policies which he believed retarded her development and which in their operation he thought bore oppressively upon the citizens of the public-land States; year after year he waged a losing fight, yet year by year began the fight anew. He was always direct, bold, and aggressive, and while his cause might be unsuccessful, it gathered both strength and respect by the vigor and honesty of his advocacy. All in all, Senator HEYBURN was a man of the highest type of American citizenship, faithful to his public and private duties and responsibilities, assuming and attempting the duties of each day as each day came and accepting with a calm philosophy the result of each day's work, whatever that result might be, his temper as unruffled under defeat as in success, and he was entirely without malice or ill will toward an opponent, no matter how earnest or fierce the struggle. In private life he was a delightful companion, and his public services were of inestimable value. He occupied a place on the floor of this Chamber that will not soon be filled, and we as his colleagues have, in his death, suffered a loss that is well-nigh irreparable. He died as he had lived, in the front of the fray, and as he himself desired, as often expressed to his friends, in the full measure of his mental strength. He will be ever held in loving remembrance by his colleagues here, and his work written upon our statute books will ever be a fitting memorial of his public service.

## Address of Mr. McCumber, of North Dakota

Mr. President: In the closing hours of the second session of this Congress, and while in the shadow of death, Senator Heyburn was cautioned concerning the great danger to his health if he persisted in his efforts on the floor of the Senate, and he was importuned to take at least a little rest. His answer was characteristic of the man. Though suffering greatly, with a smile of genial complacency he said: "Well, I do not know but that I am ready to die. I have seen much of life, have probably had my share of it, and I know of no better time to meet death than when one is in the performance of a duty which he owes to his country." These words were uttered in no spirit of bravado, for such spirit was most foreign to his nature. They were spoken in the very presence of the grim reaper by one who looked into the face of death with calm, level eyes that knew no fear. They were spoken while artificial stimulants were being administered to his laboring heart that he might finish that day's work; that he might give to the Senate words of great import; that he might sow the seeds of wise thoughts, trusting to Providence that they might fall on fertile soil and bring forth their harvest of good.

In listening to his words on this floor, always profound and ringing true to his convictions, we could not but be impressed with his seeming indifference to what many claimed to be public sentiment. But duty to him was to give the public the benefit of a judgment founded upon studious research, accurate reasoning, and calm deliberation. His political creed was that he who stands for right, according to his own conviction, uninfluenced by the effect of that stand on his own political destiny, will in the long

run far better represent his people than he who caters to their every changing mood. He might sometimes be less popular, but he would always be much safer. With him duty and judgment went hand in hand, and neither individual interest nor popular clamor could ever disunite them. He knew that his every act and every utterance were dictated by his love of his fellow men. He was too candid to ever flatter and too honest to ever temporize with error. Without fear or favor, he conformed his vote and his efforts in debate to a judgment fortified by study and guided by devotion.

With a great, deep, and loyal heart Senator HEYBURN loved the people of his own State and the people of this Nation; loved them so well and sincerely that it never occurred to him that any one of them could ever doubt his fidelity, and this may account to some extent for a seeming indifference to public sentiment. No man was ever more devoted to their real welfare than he. To that interest he gave a mind of great penetration and powerful analysis. He was most studious and painstaking in his research, and was always master of the subject in hand. He was a great student, reading every night long past the midnight hour. Those who were ignorant of that habit might well wonder at his almost inexhaustible fund of information on every important occasion. The undermining of his physical health by these long hours of studious labor was his own loss and little reckoned by him—the benefit of that labor inured to his country's welfare, a cause of supremest moment to him. Those of us who were near him on the last evening of the session, when he was speaking so earnestly and prophetically for the people of the country, and knew that while his lips were uttering words of patriotic eloquence for his party and his country his heart was struggling with faltering and

uneven throb, can never forget the sturdy grandeur of his nature—his faithfulness to the very end.

His virtues were many, but were I called upon to designate the one that seemed to glow with brighter luster than any other, I should speak the word patriotism. So deeply did he love his country, so devotedly did he love the men who had battled to save the Union, that many have thought he must have hated those who had battled to destroy it; with such depth of patriotism did he cherish the memory of those who had died to uphold the Union cause that many may have thought there was a lingering bitterness in his heart toward those who had laid down devoted lives on the altar of a lost cause; so jealous was he lest the flag of a reunited country might not receive the homage due from all the people, that many may have thought that he doubted the devotion of every section to that flag. But those who had the great privilege of his friendship, and with it the opportunity to know him well, knew that no American citizen, North or South, was, or ever could be, without the portals of his great generous heart.

Mr. President, we can know but little of each other even under conditions of greatest intimacy. In our world of social, business, and political relations, we mingle with men who can never know us and whom we can never know. Our real world is within ourselves, and that world is ever sacred in its secrecy. Across its portals none other may ever step. There is but one key that can unlock even the vestibule to this inner world of self, the key of confidential friendship, and even from this position of vantage we can catch but the imperfect reflection of the true divinity of the soul, the twilight that but faintly heralds the glow of the real day. Sometimes I think it strange that the noblest impulses of the human heart, all that is purest and best, all that is truly sublime in

our natures, persistently veils itself in secrecy and intuitively recoils from publicity. And so it required this close, intimate friendship to understand the real, noble, generous character of Senator HEYBURN. In the forum of debate he was firm and unyielding, a warrior to be feared, and yet a warrior always to be respected. But away from the line of battle, surrounded by friends and family, he was the very soul of gentleness, courtesy, graciousness, kindliness, and charity.

On the 20th day of October we laid his body in the tomb to return its substance to the earth that gave it, there forever to rest. To-day we enshrine his noble virtues in our hearts, there forever to live.

Touched by our grief and inspired by our affection we seek to build a monument to his memory, not at his tomb, but in our hearts, and for its structure we draw from the depths of our natures the noblest and best of our impulses. His eyes can never behold the beauty of that structure, but the eyes of our own souls shall see it and our characters shall be ennobled by it.

The qualities which we most regard in ourselves are those which we most cherish in others. Therefore, in paying our tribute to the noble dead we quicken into greater life the particular virtues which we praise. In these services we can not benefit the dead. He neither needs nor heeds our eulogies. But we can and do unconsciously benefit ourselves, and through ourselves, the world at large, by directing our thoughts toward those lofty heights of character which we extol in our friend, who has forever passed from our sight.

As the volume which contains this day's memorial service to Senator HEYBURN is closed, it will never be opened again except for a brief period by those who knew him and loved him. For to really know him was to truly love him. But the thoughts and impulses of this day,

combined with the memory of his life, the impression he made upon the consciousness of all who knew him, of all who heard his words of wisdom and earnest eloquence, will be builded and cemented into a monument to his name and character that will endure with each of us so long as our own lives shall last; and as no force is ever lost to the world, so the subtle influence of a noble character, leaving its magnetic impress even on the stubborn law of heredity, and gently, but none the less surely, working a change in the course of its current, will be an undying influence that will be reflected and re-reflected down the ages. No lineal descendant will ever bear the name of Senator HEYBURN, but unnumbered hosts shall bear the impress of his character.

## Address of Mr. Dillingham, of Vermont

Mr. President: During the period of my service in this body I recall no associate who at all times and under all circumstances manifested a higher conception of the duties and the obligations of a Senator of the United States than did Weldon B. Heyburn. He never limited the application of his great powers to questions which were of special interest to the people of his own State or to those residing in that section of the country from which he came, but from the day he entered the Senate until death claimed him he lived in the consciousness of the fact that he was a Senator of the United States in the proudest and broadest sense, and that as such he was required to scrutinize every measure affecting the public interest; to advance those which would serve the public good and to stamp with condemnation those which appeared doubtful or that might be mischievous. In the discharge of these duties he exhibited an industry almost incredible, and a degree of application found rarely, and only in men of great power, of trained intellects, and those who are naturally masterful.

He was a tireless, intelligent worker. The statement would hardly seem believable, if the Congressional Record did not disclose the fact, that during the second session of the present Congress he engaged in debates on the floor of the Senate which involved a discussion of nearly 150 different subjects of legislation. All this he did in addition to the routine work of a Senator, in addition to the heavy demands upon his time and strength in the discharge of his duties as a member of important committees, and at a time, too, when he was suffering an impair-

ment of health which would have driven an ordinary man into retirement.

His power and influence, as it seems to me, resulted from his convictions, which were those of a man whose judgment was based upon the eternal principle of the fatherhood of God and the brotherhood of man—principles which found expression in a lofty and intense type of patriotism, a profound love of liberty under law, and a respect and reverence for that system of law under which the liberties of the people of this country have been developed and maintained.

Grounded in these doctrines, it was natural that he should adopt the law as his profession, into the study and practice of which he carried not only the endowments of a talented intellect but an industrious application, coupled with a marvelous capacity for labor which recognized neither length of hours nor the limitations of physical endurance. The effect of this thorough preparation was evidenced always by his clear conception of the issues arising in every controversy, his ability to grasp facts relevant thereto, his knowledge of the law, and his keen sense of the moral as well as the legal principles involved.

Mr. HEYBURN entered this body in the fullness of all his powers. He was a ripe lawyer, a clear thinker, a skilled, forceful debater, ever ready and resourceful, and he never advanced a proposition without being well fortified to maintain it. He was a splendid advocate, a dangerous adversary, but an honorable foeman. He was fearless for the right as he understood it, and he early won and held to the last a secure place among those men depended upon as leaders.

Among all those with whom I have associated in this body no man has impressed me as possessing a more unflinching devotion to the principles he espoused or a finer courage in maintaining them. In the best and highest

sense Weldon B. Heyburn was a fighter who knew no fear. To him it mattered not whether he stood alone doing battle for his convictions or surrounded by hosts of friends and supporters; in either event he delivered himself in the full strength of vigorous speech. That he was facing a hostile press or antagonizing powerful elements in the political life of the Nation made no difference to him. He published to the world his unshaken belief, and he sought only the approval of a good conscience as a reward.

As chairman of the Committee on Privileges and Elections, of which he was an able and an honored member, I became more intimately acquainted with him than might otherwise have been possible, and that acquaintance ripened into a friendship which to me was a great satisfaction. My admiration both for his ability and character grew with the months, and my affection for him as a man steadily increased as I more and more realized the kindness of his heart and the gentleness of his spirit.

During the last session of the Congress I felt anxious because of the disturbing condition of his health, and, appreciating his critical situation, pleaded with him to abandon all public duties and seek a restoration through a long period of relaxation. His reply was characteristic of the man. He said he did not desire to live unless he could do a man's work; that he preferred to fight the battle to the end, whether the contest was long or short, and when his work was done to go hence. In this dauntless spirit he met all the issues of life, and so it was that week after week and month after month he strove mightily, although in constant pain and imminent danger, and when he had indeed performed a man's work to the very last he went hence, leaving a record of faithfulness and achievement well worthy the emulation of all.

## Address of Mr. Sutherland, of Utah

Mr. President: It is with something more than a feeling of perfunctory interest that I rise to add a brief tribute of respect to the memory of Weldon Brinton Heyburn, for he was not only an honored colleague, but a warm personal friend, for whom I entertained a very real affection.

During the eight years we served together in this Senate the work in which we were both engaged brought us into close relations and constant association. My respect for his many admirable qualities, for his rugged but exalted conception of public duty, for the simple dignity of his everyday bearing, increased as the years of our acquaintance lengthened.

He was of Quaker ancestry, and there was something very fine and inspiring in the stanch but never demonstrative affection in which he held the people of that faith. He was born in Delaware County, Pa., in the year 1852, and was, therefore, at the time of his death, only 60 years of age, in the full possession of all his mental faculties, cultivated by habits of studious application and sharpened by the varied experiences of a busy life. With an unusually strong and massive body and a mind keen, forceful, and untiring, intellectual work, however laborious or exacting, was with him always a delight and never a burden. Had it not been for the disease which so cruelly fastened itself upon him, but to which he never bowed in submission or ceased to regard other than in the light of an intrusive and impertinent interruption of his labors, to be treated with imperious contempt, he would have been spared for many years of useful public service.

If I were asked to name his most conspicuous characteristic, I should say it was courage—physical as well as moral. Many men, indeed, most men, can upon occasion, by a conscious effort of the will, meet a great peril with no outward manifestation of fear, but those who habitually and as a matter of course face every problem, however grave or threatening, without a shrinking of the soul or of the flesh are rare indeed. Senator HEYBURN was one of these unusual individuals from whose mental and moral equipment the element of cowardice had been wholly omitted. He was, moreover, intensely in earnest and intensely sincere. There was never about anything he said or did the slightest suggestion of the hypocrite or the timeserver. During the 10 years of his service in this body he met every question in a spirit of perfect candor and of utter disregard for every consideration save the intrinsic merits of the proposition. I firmly believe that in all that time it never occurred to him to consider the effect which his words or his vote might have upon his own political fortunes. Opportunism was no part of his political creed. Convinced of the rightfulness of any position he assumed, he stood for it unswervingly, without the slightest concern for the strength of the opposition or the odds against which he contended. If others agreed with him, he pursued his way, it is true, with greater satisfaction, but if nobody agreed with him he pursued his way nevertheless. The fact that he stood quite alone disturbed him not in the least. He was unmoved by the fiercest opposition; the semblance of a threat only added to the intensity of his contention. The question of the popularity or unpopularity of his views never entered into his calculations.

When I search the gallery of my memory for its most familiar picture of him, it is always to behold him standing in his place, militant and earnest, vigorously pressing

some legislation which he believed to be necessary and wise, or grimly opposing something which he believed to be wrong. Fearless and independent, with his strong, sturdy frame, his deep chest, his large, splendidly shaped head, he was always a picturesque and interesting figure in debate, facing its stormiest phases like some gallant, self-reliant sea captain, clear-eyed and unafraid, driving by the force of his strong will through the fury of a wind-swept sea.

It was in this same mood that he took up the gage of battle with his last unconquerable antagonist, with a perfect knowledge that he was unconquerable. About that he never for one moment deceived himself. He understood clearly the gravity of his own case. But never for a single instant did he cry out or beg for quarter. With his back to the wall, he fought doggedly, unflinchingly, albeit hopelessly, with the same unyielding spirit that he would have made a losing fight for a great principle in which he believed or as he would have contended, though himself naked, with an armor-clad adversary. Day by day the poor mortal body weakened, but the heroic soul never whined or faltered. One day, as he stood at his desk addressing the Senate, he distinctly felt the breaking of a small artery in the frontal lobe of the brain. There followed an inrush of overwhelming sickness; one of his eyes was filled with a quick suffusion of blood; there was a momentary hesitation in his speech—long enough for those who sat near him to realize that something was dreadfully amiss—and then, with a superb effort of his wonderful will, he lifted the fainting soul to its task and completed his remarks and then walked from the Chamber without a word to anyone. The next day I saw him, and observing the darkened eye and drooping lid, I said: "What is the matter, Senator?" Without a trace of apprehension in his voice, as though he had been speak-

ing of another, he replied: "A small blood vessel has been ruptured, forming a clot on the brain in such a way as to render one of my eyes temporarily blind. The doctor says that sight will return as the clot is gradually absorbed." For more than a year, while the inexorable fingers of death slowly but surely tightened about his heart, he quietly continued to discharge the daily duties of his place with a courage whose pathos appealed to everyone but himself. But finally the flesh, having grown weary of the struggle, gave up the unequal fight, which the brave, unconquerable spirit refused to do until the very end.

By those who knew him here he will be sadly missed. In the busy hours of the closing days of the session we pause only long enough to pay him the simple and inadequate tribute of a few words of affection and appreciation, and then resume our efforts to solve the problems of the living, leaving the mystery of the dead—if, indeed, there be any—to be unraveled in the good time and the good way of Him whose mystery it is. And this, if he could speak to us, would be what our late colleague would have us do, for he who lived by the gospel of work least of all men would have the necessary work of the world halted for long sorrowing over one whose worldly tasks have ended forevermore.

## Address of Mr. Burton, of Ohio

Mr. President: Weldon B. Heyburn was a person of unique and powerful personality. A man's characteristics are derived in part from inheritance and in part from environment. Senator Heyburn's will power, his strength, and independence were such that he must have come of a sturdy ancestry, but there were more clearly visible indications of the effect of his environment.

For very nearly 30 years he was a resident of one of the newer and more progressive States of the Union, and shared the hardships, struggles, and trials which belong to the settlers in a new country, where fertile valleys and great areas of desert fields and scattered rocks were strangely mingled.

He was always in sympathy with the pioneers; in fact, he was one of them; that army always advancing, never disbanding, shrinking from no obstacles, marching over mountains and valleys, making glad the waste places of the earth, digging treasures from the sides of the mountains, establishing new communities and Commonwealths, always building better than they knew and on a grander scale than they knew.

He was faithful to the people of his State. His sympathies went out for the struggling miner, for the prospector who went forth to seek new mines in the bowels of the earth.

He was at times seemingly lacking in tolerance toward those who took different views with relation to the settlement of that new country and the utilization of its resources, a disposition which may be readily explained by the fact that he realized the difficulties of his fellow citizens who were engaged in the development of that new

area, and his feelings on their behalf were very much aroused. No one could know him without recognizing the strength of his will, his courage, his independence.

There has probably never been a manifestation in this Chamber of more resolution than that which he showed in the last few months of his life, when, with the death warrant already written, he was unwilling to turn aside for rest, but continued in the performance of his duties to the end. It has been said that his courage and his independence were his leading characteristics. He sought no favors. He did not desire that thrift which follows fawning. His opinions were never the echoes of the voice of any leader, however eloquent or logical that voice might be. He was no registering machine to write down the behests of others. He could not change his opinions to conform to the views of those who might furnish him with great support in the way of votes. He stood too erect ever to bend his ear to the ground and listen to the whispers which speak of popularity and popular support. So he stood among us as a splendid figure, one who sought to serve his country in accordance with his ideals of patriotism and of independence. He had his faults, but they were eclipsed by noble qualities.

I am painfully conscious, Mr. President, of my inability, certainly in a few brief minutes, to do justice to his memory, but of this we may all be sure, that though his life was cut short he left a noble heritage in his patriotism, which his State and the Nation will cherish in the years to come.

Mr. President: Poets and orators have sung the praises of men who have bravely died in battle amid the booming of cannon, the thrilling strains of martial music, and the trampling of armed hosts. Our blood has bounded through our veins and we have thrilled at the story of some mighty deadly conflict in which had been shown the courage and fortitude that lead to death and the grave. Poets' flame and orators' fire, however, can not portray the sublime courage that controls the man who, knowing that if he continues his work, the messenger may summon him at any moment to that undiscovered bourn whence there is no return, nevertheless, with calm fortitude and cheerful demeanor continues to discharge the duties which he feels he must perform. This is a courage beyond the power of tongue or pen to portray.

This was the courage displayed by Weldon Brinton Heyburn prior to his death. For a year or two his colleagues knew that the dreaded messenger was hovering near. He knew it, too, and was listening for the summons. He talked of it calmly and without fear. He accepted it as something that could not be avoided. He wanted to do as much as possible ere the message came, not realizing or not heeding that his labors were but beckonings to the end. The messenger came, the battle was fought, the last earthly contest was over, and with his face to the foe before whom all must fall he went bravely beyond the veil.

In his death this Chamber lost one of its strongest characters. He was a man of powerful intellect and matchless moral courage. He was intellectually pugnacious

and delighted in controversy. His wide learning, broad experience, long training at the bar, of which he was a leading member, and his ready command of language made him a most formidable antagonist in debate. He was calm, ready, and self-possessed, ever serious, oftentimes unconsciously witty, and always earnest and sincere.

He seemed to disregard utterly public opinion. He boldly, even defiantly, expressed views upon great questions which were against public sentiment. He assumed that he was better able with his study, investigation, and knowledge of the situation here to decide what should be done than anyone else, and he never shirked responsibility and boldly stated his position. Local opposition and local sentiment were overcome by the power of his intellect, dauntless courage, and overmastering spirit.

In the State convention of his party he boldly denounced what to him was heresy in its platform, and when the legislature met to select his successor, his presence dissipated the gathering storm of opposition as the rising sun dispels the scattering mists of the morning.

While he took his position upon all questions boldly and expressed his views with candor and positiveness, he conceded to his opponents the same honesty of purpose and liberty of conscience that he demanded for himself. He met all questions fearlessly and maintained his position openly. He could not veil his defense or conceal his attacks. His attacks were daring, his defense open. He could not be dislodged from a conclusion once reached, and it seemed sometimes as if he would not see the error of his position.

He was an intense partisan. His party loyalty was a part of his patriotism. When his party spoke through its majority he bowed to its decree, even if he did not agree with its judgment. An intense partisan himself, he respected partisanship in others. That parties are neces-

sary to make representative government a success he strongly believed. If some declaration in his party platform did not meet with his approval he nevertheless remained with the party, believing that in unity there is success, in dissension defeat. He sought to work out differences within the party by reversing its decrees within itself rather than through defeat.

While not in harmony with the sentiment of the day, no man was more intensely patriotic, no man was more earnestly devoted to the welfare of the people and his Government than WELDON BRINTON HEYBURN. Denouncing mercilessly what he considered the heresies of the day, he was just as confident that what he advocated was for the people's welfare as the most ardent advocate of other policies and methods. If we did not approve his position, we were forced to admire the courage, sincerity, and ability with which he maintained it. He was of incorruptible honesty, and the people's good was his sole aim. Better far a man like this in legislative halls, though mistaken, than the cowardly sycophant sometimes right.

With all his domineering, masterful, combative disposition there was a sweeter nature that "peeped out ever and anon," all the brighter because of the rough, rugged surroundings. Oftentimes have I seen him in committee apparently taking a determined stand against some measure in which a fellow member was interested, and after expressing his views in his usual vigorous fashion, say, "But I will not carry my opposition further; I simply wanted to make my position clear." Within his strong, rugged nature there was a heart as gentle and tender as a child's.

He did not depend upon his abilities alone while a Member of this body. He was a hard worker both in committee and on the floor of the Senate. He attended the meetings of the Senate very regularly and followed

its proceedings with great care. He was always at committee meetings and took an active part in their deliberations, and the work of the committees and subcommittees of which he was chairman was looked after with the greatest fidelity and marked ability. An examination of the Congressional Index will show the amazing range of his activities and the tremendous labor he must have put forth.

The life of a Senator who conscientiously discharges the duties devolving upon him as the representative of his State and Nation is a most exacting one. It requires close study, long hours, and hard work. In addition to the general legislative work, Senators from the West have many matters of local concern that require much time, study, and preparation. And so it was that the burdens upon Mr. HEYBURN were very great; they were too much even for his great mental and physical strength, and his colleagues saw the end coming long before it came. He literally worked himself to death for his State and Nation.

What a brave fight he made! With the same dauntless courage with which he faced the problems of his legislative career he faced the grim reaper. By the very force of his indomitable will he seemed to stay death's hand. Face to face he yielded inch by inch, but was finally overcome by the foe that knows no defeat.

Mr. President, no knight in olden times ever faced death in defense of his lady love more calmly, no soldier ever marched more courageously to battle, no martyr ever faced the stake with greater heroism than did this man meet the summons of the grim reaper to the voyage whither all must go; whence none return. Brave in life's battles, bravely he died. Peace to his ashes, joy to his soul.

## Address of Mr. Root, of New York

Mr. President: No one could have sat in this Chamber as the colleague of Senator Heyburn without receiving and retaining a deep impression of a very strong and distinctively individual character. He merited the description by which the Norse sagas so often carried a meaning of high praise when they declared one to be "not an everyday man." Even the traditional attitude and sentiment of formal eulogy can not make it natural or suitable to couple his memory with perfunctory expression.

He had a strong and active intelligence, well informed, thoroughly trained, utilized through enormous and untiring industry, and made effective through unusual facility of expression. His work as chairman of the Joint Committee on the Revision of the Laws was painstaking, accurate, and of permanent value. His attention to the business of the Senate was unremitting, and he was always watchful and alert to detect bad measures and prevent their passage, while his own advocacy of legislation was always upon the ground of what he believed to be the public advantage. The wide range of his interest in public affairs included every department of government, and in every direction he made valuable and effective contributions to our discussions. His great power was chiefly derived from his exceptional qualities of character. I think the underlying quality on which all the others rested was a capacity for loyal self-devotion to ideals. For whatever cause he espoused he was instinctively and unhesitatingly ready to fight à l'outrance, and to the partisanship of his cause he brought inflexible resolution and clear, high courage. His face once set, he never turned

to the right hand or to the left; he never wavered or hesitated or questioned or doubted. His conclusions were convictions. Throughout his arguments, always dignified and courteous and full of relevant and cogent matter, there sounded always the suggestion of a battle cry. He would have gone to the stake singing triumphal hymns. He would have led forlorn hopes. He would have sought death in battle with supreme joy. As became his character, he had a great capacity for wrath. His temper was sudden, easily moved, swift to expression. In conflict it would flare out at times like some great furnace, seen from afar, blazing for an instant on the night. But there never was a sweeter temper. He was gentle and kindly and considerate toward all the world. He had no shade of the morose or sullen, of spite or revengefulness. He harbored no resentments. He had ineradicable prejudices, but no hatreds. He had many conflicts, but no enmities, and I doubt if he had any real enemies. Certainly he had none here. His ingenuous sincerity, the wholeheartedness of his devotion to the truth as he felt it, the transparent unselfishness of his motives, the kindliness of his judgments, inspired us all with respect and admiration for his character. His very foibles endeared him to us. We had affection for him. We truly grieve for his untimely death, and it is a sad satisfaction to do honor to his memory.

## Address of Mr. Thornton, of Louisiana

Mr. President: I have been requested by the senior Senator from Idaho to say something on this occasion, because he thought that I understood the late Senator Heyburn somewhat better than did my brother Senators from the South, and I have accepted the trust and shall try to be just to his memory.

I came to this body prejudiced against him because of my preconceived idea that he was hostile in sentiment toward the people of my section of the Union; and some of his remarks and votes on certain questions shortly after my arrival here were calculated to make me believe that the general impression concerning his character in this respect was correct; but for more than a year before his death I had become satisfied that this view was based on a wrong conception of his feelings.

Senator Heyburn was not a hater of the southern people, and no one here was more ready than he to vote for measures to relieve their necessities from the Government purse when an emergency arose with which they were unable to cope unaided and which called for immediate relief.

True, he wished to be satisfied that the necessity existed, but it was his habit to always insist on a proper explanation for a demand for expenditures of public money for unusual purposes.

But when the reason for it was made clear to his mind he cheerfully and ungrudgingly voted for all that was asked for the relief of the southern people.

He always objected to the expenditure of public money for the purpose of commemorating in any way the valor

of Confederate soldiers or sailors or to the return of captured Confederate flags, and even to the return of captured bonds that had been issued during the Civil War by any of the States composing the Southern Confederacy; and this was why he acquired the reputation of being hostile to the South, a reputation that has outlived his life.

But his course in these matters was not due to any dislike of the southern people as such, but to his intense conviction not only that the cause for which they fought was wrong but that he could not vote for such measures without seeming to condone to some extent the action of the South in seceding from the Federal Union.

In my opinion his view of those questions was too narrow and his judgment warped by his feelings, and I think he could have well afforded to look at them from the standpoint of others who were just as decided in their convictions of the wrong of secession as himself, but who considered that the time had come when they could show this consideration to their southern brethren, now as loyal citizens of a common country as themselves, without in the slightest degree detracting from their own sense of loyalty to the cause of the Union during the Civil War.

But Senator HEYBURN thought otherwise as regarded himself, and it was his own conclusion that always controlled his individual action.

I have heard him declare on the floor of the Senate that his feeling was not in any sense personal, not dictated by dislike of southerners, but by dislike of the cause for which they fought, and that he fully recognized the sincerity of their position in that regard; and I am sure that he spoke his true sentiments, for he was too honest and courageous to speak otherwise.

I feel that on this question I have been just to Senator HEYBURN, and as a southerner and ex-Confederate soldier I wish to go on record as protesting against what I consider to be a general misconception of his character in this regard—a misconception shared by myself until I had opportunities for better understanding him.

And now that he is dead I am glad to be able to pay tribute to some characteristics of Senator HEYBURN that I unreservedly admired and for which I gave him unstinted credit while he was alive.

In my experience in this body I have not met a Member who, in my opinion, felt a stronger obligation resting on him to thoroughly inform himself on measures before he voted on them.

I became first impressed with his desire for investigation through my observation of him as a member of the Committee on Public Lands, in which we served together; but it seemed almost impossible for a measure to come before the Senate that his alert and inquiring mind did not prompt him to take part in its consideration.

I believe that in this he overtaxed himself, for I am convinced that no Senator can fully investigate all questions, even those of importance, without impairment of his physical health; but necessarily he must trust in some matters to the investigation of the committees having them directly in charge.

I believe that Senator HEYBURN'S habit in this regard hastened his end.

But he never spared himself while contending for what he thought was right or against what he thought was wrong.

I often watched him last year, continuing to debate while scarcely able to stand, fearing that he would fall and die in the midst of his argument, yet thinking it quite

possible that he would prefer to meet death in that particular way.

I admired him because he was always true to his convictions—a quality possessed by him in as high a degree as by any Member of this body.

I well remember that in our last conversation, just before the close of the last session, when I made some allusion to this trait of his character, he answered with a look and emphasis that left no doubt in my mind of his sincerity:

> Senator, when the time comes that I can't vote my convictions in the United States Senate, I am ready to quit it forever.

I admired him for his intense Americanism, his pride in the greatness of his country, and his zealous desire to maintain and increase her greatness.

These were the qualities of Senator HEYBURN that commanded my respect—honesty, industry, conscientiousness, courage, and patriotism—qualities which I trust that we who have survived him may always wish to emulate.

## Address of Mr. Myers, of Montana

Mr. President: It is a melancholy pleasure for me upon this sad occasion to say a few words of tribute and praise to the sturdy worth and many good qualities of our departed associate, Senator Heyburn, and to lay a wreath of kindly remembrance at the shrine of his memory. I said many good words of him during my acquaintance with him in the course of his lifetime, and now it is with heartfelt reverence and genuine esteem that I pause in the busy course of life to revere his memory with some words of praise.

Although I live in a State adjoining the State of Senator Heyburn's last residence, I never knew him personally until I entered this body and here met him. When I met him here his greeting to me was most kindly and cordial, and instantly impressed me as coming from a good-hearted man of kindly instincts. My relations with him during the remainder of his life were most cordial and pleasant, and to me will ever be a pleasant memory. Beneath a rugged exterior he possessed a sublime devotion to duty, a heroic adherence to principle, a heart as warm as the gentle sunshine of spring, and a disposition as tender as the first blossoms of the flower garden.

During our entire acquaintance he was always most kindly and cordial to me. In many ways and upon a number of occasions he was helpful to me. I enjoyed courtesies at his hands that were beneficial to me and which I much appreciated. In all of our relations I found him ever of a helpful disposition. I never approached him in any matter but what he evinced a strong desire to be helpful to me. When he could not fully agree with

me he was not disposed to be obstructive, but carefully explained his views and always suggested from his resourceful mind some course that would obviate his objections and at the same time answer my purposes. He ever extended a helping hand to assist me over the rocky obstacles of legislative life, and many beneficial ideas I owe to his helpful suggestions. To me all of these things betokened a lovable disposition.

Senator HEYBURN was as fearless a man as I ever knew. His fearlessness always elicited my unbounded admiration. I believe he was absolutely fearless—as much so as any man could be. He seemed to take no reckoning of consequences. He stood absolutely firm for what he believed to be right, utterly regardless of what the consequences might be to him politically or otherwise. I do not believe the history of this country has revealed in public life a more fearless character than he. He cared nothing for public opinion. He cared nothing for enmities, opposition, criticism, or stricture. Evidently he had but one guide, and that was the right. I do not believe it would be possible for any human being to adhere more strictly to his ideas of the right. In this I believe his career sets an opportune and a beneficial example to the public men of the day and to the youth of our land. He knew neither friend nor foe in his devotion to right. His adherence to the right as he saw it was as immovable as the everlasting mountains, as solid as the Rock of Ages. His frankness, too, was unusual. He never hesitated to express himself on any subject that concerned him, his constituents, or the people of this country. So prominent were these splendid qualities in his character that they stand in bold relief to the average make-up of mankind and tower above that average like the lofty mountain peak, that pierces the skies, towers above the hills.

Men of the character of Senator HEYBURN are needed in this world. They are the men who accomplish things. They are the men who stand for ideals. They are the men who defend to the last what they believe to be right and never know what it is to retreat. We shall miss him here. His constituents will miss him. The world will miss him.

## Address of Mr. Pomerene, of Ohio

Mr. President: I would be doing violence to my feelings if I were to sit in silence and fail to add a word to the tributes to our departed friend. It was a privilege to have known him. His character was as rugged as the mountains of his adopted State. The first six months I was a Member of the Senate my acquaintance with him was only casual. I had seen him upon the floor engaged in the debates and business of the Senate; I witnessed his combativeness, and I confess I did not then quite understand him; but it fell to my lot to be associated with him closely for a number of weeks in some important committee work, and I then, for the first time, learned to know the real Senator Heyburn as he was known to his family and his most intimate friends. During that time I saw him and labored with him every hour of the day.

He perhaps would impress one as being a man of strong biases, and he was; but beyond that, and more than that, it seemed to me that the ruling passion in his work was to seek and to know the truth. During that investigation in a distant city, if you had heard him examine the witnesses, who perhaps had taken one side or the other of the controversy, and you were to witness the force and directness of his questions, it would occur to you that he was there in a partisan capacity, rather than as a judge; but if this element seemed to appear upon the surface, and you followed him through the entire course of the examination, you would find that he was eager to know the truth and the truth only.

His was one of those peculiar minds that always hewed to the line and was willing to let the chips fall where they might.

Mr. President, I can not conceive of Senator HEYBURN bending to every breeze. He always stood foursquare to all the winds that blew. He thought his thoughts and spoke his own words, not other people's. He believed that he was here in this Chamber commissioned to do a certain work. He performed it according to the light that was given to him. It was not necessary that he get his ear to the ground in order that he might know what his own views were or how he should vote. No one who ever knew Senator HEYBURN would charge him with that characteristic.

Mr. President, in the time I was thus intimately associated with him I learned to love him. I know I was his friend, and I believe that he was mine. I remember after he was stricken I stepped up to him one day and tried to persuade him to leave the Chamber, to go and seek the rest he needed; but no, he would not go. He felt that if his time had come there was no better place to pass away than at the post of duty.

Mr. President, he was a man of high ideals. He was an intellectual giant; he had the genius of industry; he was the peer of any man in the Senate. He was one of those men of whom Kipling wrote—

> He walked with kings, nor lost the common touch.

I shall always remember him with a deep feeling of affection, knowing that when he passed away we lost a truly patriotic citizen and Senator. Peace to his ashes.

## Address of Mr. Brady, of Idaho

Mr. President: In the death of Weldon Brinton Heyburn the State of Idaho has lost a distinguished citizen and representative and the Nation a brilliant and useful legislator. I wish that it were in my power to speak of him on this occasion from the intimate knowledge which some of you possess by reason of your long association with him in this Chamber. It was my privilege, however, to know him well through years of pleasant association, incident to service in the ranks of the same political party, in the upbuilding of our State and through the record of his achievements in the United States Senate.

I knew him as a citizen, as a party leader, and as a representative of a sovereign State. He was a large virile figure in the political and governmental activities of his time, a man whose great talents were early appreciated by the party leaders and the people of Idaho.

From the time he became a resident of Idaho until his death he played an important part in the history of the State. The brilliant legal powers which he possessed gained for him an early recognition, and his attainments in his profession commanded admiration wherever he practiced, whether in the State and supreme courts of the Northwest, in the United States district and circuit courts, or in the Supreme Court of the United States.

When the Territory of Idaho was about to hold its constitutional convention Mr. Heyburn was chosen a delegate, and his colleagues, recognizing his legal attainments, made him chairman of the committee on the judiciary.

It was, however, in the party campaigns and political struggles that I came to know him in a more intimate and

personal way and to recognize his sterling worth in both private and public life.

During the early years of his first term I watched his growth with the keenest pleasure. It was a source of great satisfaction to note how his personality became the moving force in a great and brilliant senatorial career.

These memories of my pleasant association with him come back to me with such clearness that it is difficult for me to realize that he has passed away. Knowing him as I did, and being so familiar with the great record he made in this body, I appreciate the responsibility of being his successor. He set a standard of legislative workmanship which few have excelled, and I am glad to be privileged to pay tribute to his great accomplishments.

I could not agree with him upon all public questions, nor could many of you, yet, however keenly we may have felt his opposition, we recognized that his attitude was taken conscientiously. The calm certainty with which he followed his own ideas and the clear thought with which he reflected upon current problems made him a man of great force. Neither in this Chamber nor in the country at large was there ever any uncertainty as to his position upon great public questions. He stood for his political convictions even if he stood alone. A stanch supporter of government and a loyal party man withal, he did not hesitate to stand apart from the majority opinion.

He had an uncommon power to resist those persuasions which are purely personal or partisan and to hold his own opinions undaunted by the disagreements or the misunderstandings of those who opposed him. He fought hard, sometimes relentlessly hard, but he was as relentless in putting aside the possible effect of his course upon his own political fortunes as he was persistent in combating those who for the moment stood against him.

Yet it can be truly said that no bitterness bred of debate ever followed him to his home. Those who knew him out of the storm of debate or in the quiet of his own home knew that warm kindness and generous tolerance marked his every discussion. He was away from the battle field, his armor was off, he was no longer the fighter, but merely the gentle, considerate man.

To-day, when political beliefs are numerous and party lines confused, when the functions and methods of government are uncertain and formative, it requires a large catholicity of mind to appreciate fully the service of all those who play a vigorous part. More difficult still is it to estimate fairly those whose function it has been to approach public questions from a special angle. The radical who stands for a new truth that other men do not see and the conservative who defends a time-honored belief from which other men have departed are rarely understood by the popular mind. Yet these two opposing minds, by their persistent, honest effort, form a balance which is essential to the deliberations of this legislative body, which is reflected in the thought of the American people. Only when all men can see the whole truth can we do without these men of extreme view, and that time does not seem destined to come.

For myself I may say that I am committed to progressive policies, but I can not and do not set aside my appreciation and respect for those men who have been and are striving to preserve the fundamental principles of our governmental structure. Among the stanchest defenders of conservative Republicanism was WELDON BRINTON HEYBURN. Who is there among those who have been his colleagues in the years of his membership here that can fail to comprehend his earnest interest in representative government and constitutional procedure?

Senator HEYBURN was not undemocratic in the true sense of the word. He was always concerned with the good of the people of the State and Nation. He stood upon the side of those hard-working men and women who are trying to build a great American Commonwealth, the State of Idaho. He was responsible for many laws touching the farming, mining, and business interests of the West. He stood for the true conservation of the people's interests and for the policies which conserve our natural resources and popular rights in the gifts of nature, and favored proper administration of all laws without imposing any undue burden upon those men of the pioneer spirit, who are responsible for the turning of the uninhabited places into homesteads for American man and woman.

He has stood by the homesteader as against the speculative exploiter of lands; he has been with the irrigationist, eagerly seeking the opportunity of tilling the soil that only waits for water, as against the "sleeper" and the land speculator, who want water without effort, not that they may reap the farm products, but that they may reap from land values which they have not helped to create. As he served the people of the State conscientiously, so he served the Nation.

The democratic feeling of our leaders is known by the consideration they give to their fellow men in the bills they make into laws rather than by any words they may coin to gain political favor. After years of failure to legislate, his persistent energy and comprehensive mind gave the American people the first law, with administrative restrictions, to guarantee that sooner or later every person in the United States will be completely protected against adulterated foods and drugs. Only a few days ago Dr. Wiley, in a public address at Boise, declared that the State of Idaho should erect a monument to Senator HEYBURN

for the great good he had done in giving the Nation such splendid pure-food legislation. No man can rear a greater monument as an evidence of his desire to protect the masses than Senator HEYBURN has built for himself in his work as chairman of the Committee on Manufactures, which had charge of the pure-food legislation of the Senate.

That he was not in favor of the devices for popular participation in government which some of us advocate is not proof positive that he lacked faith in the rank and file of men. He believed in the right of men to govern themselves, but he was convinced that in the present circumstances of life conditions do not guarantee them sufficient knowledge and experience to enable them to participate successfully in the details of legislative, administrative, and judicial decision. The confidence that he had in his own sense of duty and the convictions of his own magnificent mind bred no distrust in delegated power, and he generously extended the same faith to other political leaders.

He failed to appreciate those great popular ideas of initiative government which the twentieth century has contributed to American political life. His feeling for other men and women was of the old-fashioned sort, which showed a courteous consideration by fighting impersonally for right and against wrong. A principle covered all humanity with him.

He was a man of massive mind. A constitutional lawyer of unusual ability, steeped in the spirit of the constitutional principles, his political beliefs were of the older school. He never at any time became a reactionary; he had always been a constitutional devotee.

No great and complicated question of legislation ever came up in this body but he had the mind to grasp its application, the tireless energy to pursue its details, and the

endurance to watch it through every turn of debate. The history of legislative debate during the past 10 years in this Chamber can not be separated from the record of his participation in it. The principles he advocated were carried into effect in the bill dealing with pure foods and drugs. Twice his vote delivered the Territories of Arizona and New Mexico from the jeopardy of joint Statehood. He it was who guided the Philippine tariff laws through the committee and on the floor. To him it was given to oppose the enactment of the reciprocity treaty with Canada. He was in active charge of the Joint Committee on the Revision of the Laws of the United States, completing as his special part the penal code and the first sixteen chapters of the judiciary, which was adopted by Congress.

He worked with the same tireless energy whether the problem was of great or minor importance, and strove always to a conscientious disposition of any question that came before him, regardless of its nature.

It is a privilege, indeed, to speak these personal views of a man in whom my State took such great pride. In the hush of sharp and incisive debate which death puts upon this Chamber, it is a privilege to pay just measure and tribute to a great man who has wrought among us so vigorously that we can not even now gain a full view of his character and works.

He was one great man who regarded his prerogatives as a public trust, a chosen man who used in full sense of duty the bestowal of power which came to his hand, a man of public spirit and great mental caliber, of inexhaustible energy, of austere conscience, of dauntless courage. Such a man was WELDON BRINTON HEYBURN.

PROCEEDINGS IN THE HOUSE OF REPRESENTATIVES

MONDAY, *December 2, 1912.*

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate has heard with profound sorrow the announcement of the death of the Hon. WELDON BRINTON HEYBURN, late a Senator from the State of Idaho.

*Resolved,* That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. CANNON. Mr. Speaker, I move you, sir, that out of regard for the memory of the late Vice President, James Schoolcraft Sherman, and the memory of the Members of this House and of the Senate who have departed this life since the adjournment of the last session of Congress this House do now adjourn.

The motion was agreed to; and accordingly (at 1 o'clock and 8 minutes p. m.) the House adjourned until tomorrow, Tuesday, December 3, 1912, at 12 o'clock noon.

WEDNESDAY, *December 4, 1912.*

Mr. FRENCH. Mr. Speaker, I offer the following resolution and move its adoption.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 730

*Resolved,* That the House of Representatives has heard with profound sorrow of the death of the Hon. WELDON BRINTON HEYBURN, late a Senator from the State of Idaho.

*Resolved*, That the Clerk be directed to communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

The question was taken, and the resolution was unanimously agreed to.

THURSDAY *January 23, 1913.*

Mr. FRENCH. Mr. Speaker, I ask unanimous consent for the present consideration of the order which I send to the desk and ask to have read.

The Clerk read as follows:

*Ordered*, That Sunday, the 23d day of February, 1913, be set apart for addresses on the life, character, and public services of Hon. WELDON BRINTON HEYBURN, late a Senator from the State of Idaho.

The SPEAKER. The question is on agreeing to the order.

The order was agreed to.

SUNDAY, *February 23, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Hear my cry, O God; attend unto my prayer. From the end of the earth will I cry unto Thee when my heart is overwhelmed; lead me to the rock that is higher than I. For Thou hast been a shelter for me and a strong tower from the enemy. I will abide in Thy tabernacle forever; I will trust in the covert of Thy wings.

From time immemorial, O God our Father, men's hearts have turned instinctively to Thee in great crises for help, in sorrow and grief for comfort, in every con-

tingency for inspiration and guidance; so our hearts turn to Thee as we assemble in memory of men who by faithful service in State and Nation gained for themselves the respect and confidence of the people, wrought well among us, left the impress of their personality upon our minds, and made a place for themselves in our hearts which time nor space can erase. "For we know that if our earthly house of this tabernacle were dissolved we have a building of God, an house not made with hands, eternal in the heavens."

"We leave this and straightway enter another palace of the King more grand and beautiful."

We mourn their going, but not without hope. We are cast down but not overwhelmed, dismayed but not confounded.

For the love of God is broader
Than the measures of man's mind,
And the heart of the Eternal
Is most wonderfully kind.

Enter Thou, O God our Father, into the desolate homes and bind up the bruised and broken hearts with the oil of Thy love, that they may look through their tears to the rainbow of hope and follow on without fear and doubting into that realm where all mysteries shall be solved, all sorrows melted into joy, soul touch soul in an everlasting communion, and cons of praise we will ever give to Thee, in the spirit of the Lord Christ. Amen.

The SPEAKER. The Clerk will report the order in relation to the late Senator HEYBURN.

The Clerk read as follows:

On motion of Mr. French, by unanimous consent,

*Ordered,* That Sunday, February 23, 1913, be set apart for addresses upon the life, character, and public services of Hon. WELDON BRINTON HEYBURN, late a Senator from the State of Idaho.

Mr. FRENCH. Mr. Speaker, I offer the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 863

*Resolved*, That the business of the House be now suspended in order that opportunity may be given for tributes to the memory of Hon. WELDON BRINTON HEYBURN, late a Senator from the State of Idaho.

*Resolved*, That as a special mark of respect to the memory of the deceased and in recognition of his distinguished public career the House, at the conclusion of these memorial exercises to-day, shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolution was unanimously agreed to.

# MEMORIAL ADDRESSES

## Address of Mr. French, of Idaho

Mr. Speaker: It is with mingled emotions that I participate in the memorial exercises that to-day have brought us together. I participate as a friend of many years of him whom we recall at this hour, and I view the one whose memory we cherish not only as a friend but as a citizen of the State that he represented with such distinguished ability and as a modest colaborer in many of the undertakings in which he gave so largely of his life and genius.

Ordinarily we have but passing interest in the personal details of the lives of men. They were all born; they all have had experiences somewhat in common; they all have died, or must meet that end. Here and there a man stands out, however, so conspicuously as a national character that we crave to look beyond. To say that he was born, that he lived and died, tells nothing. To recall the achievements of his life tells not enough. We crave to know something of the personal side of the life that did great things, that we may measure better the achievements attained, that we may discern more clearly the purpose and impulses that inspired action, and that we may have at once a truer measure of the causes that have contributed to events that are momentous.

### A LIFE SKETCH

In speaking of the life and service of Senator Heyburn I shall try to give such personal facts connected with his life as had bearing upon the problems that he had to meet and the way in which he met them.

WELDON BRINTON HEYBURN was born May 23, 1852, in Delaware County, Pa., at the homestead of his paternal ancestors—the home of his great-grandfather, his grandfather, and his father. He was of English ancestry on both sides of his family. His mother was Sarah Gilpin, the daughter of John Dickinson Gilpin, the twentieth generation in direct descent from Sir Richard de Gilpin, who was knighted by King John in 1206, and which line includes the Washington and West families in England and America. He was of Quaker ancestry on both sides of his family.

His mother was a Puritan of the Puritans, who never failed to stand for truth or righteousness, and who never consented to the slightest infringement of the moral law. She was liberally educated, widely read, and kept up her reading and study throughout her life. At the age of 80 years she recited long poems and discussed questions of history, science, and art with a clear mind.

The Senator inherited mental and physical traits from both parents. He received an academic education in the public schools and under private tutors.

He spent his boyhood upon his father's farms and was associated in business with his father, John Brinton Heyburn, who was a large landowner in Chester and Delaware Counties, Pa., and who, during the latter part of his life, was chairman of the board of county commissioners of Delaware County.

Mr. HEYBURN was admitted to the bar in the spring of 1876, and immediately entered upon the work of his profession. After practicing law for more than two years in Pennsylvania he heeded the call of the West, and moved to Leadville, Colo., where he engaged in practice from 1878 until 1882. Upon the development of the mining interests in the then Territory of Idaho, in the winter of

1883, he went to the Coeur d'Alene mining country in Shoshone County, where he resumed the practice of law.

He participated actively in the conversion of the Territory into the State of Idaho, was a member of the constitutional convention, and chairman of the judiciary committee of that body. He was a member of the Republican national conventions of 1888, 1892, 1900, and 1904, and was a member of the Republican national committee from 1904 to 1908.

In 1898 Mr. HEYBURN was unanimously nominated as the Republican candidate for Congress, but was defeated by the combined Democrat, Populist, and free-silver adherents.

He married Gheretein Yeatman, daughter of John Marshall and Lavinia Passmore Yeatman, of Chester County, Pa.

In 1903 Mr. HEYBURN was elected to the United States Senate and continued a Member of that body until his death, on October 17, 1912.

### PROFESSIONAL AND PUBLIC SERVICES

The bare recital of events such as I have enumerated tell only part, and that but vaguely, of the life work of Senator HEYBURN.

As a lawyer his greatest successes came after he located in Idaho. He was strong, forceful, and abounding in resource, a tireless worker, and though younger than Judge Claggett, Frank Ganahl, Albert Hagan, Judge McBride, and Judge Mayhew, who made the bar of Shoshone County in those early days so conspicuous in strength and ability, it was but a short time before the late Senator forced himself into the front rank with those distinguished men and was able to cope with them, singly or in groups, as frequently happened, most successfully.

During the period of his actual practice in the Coeur d'Alene region he was identified on one side or the other with all the important mining litigation and was unusually successful. In 1900 he edited and published Idaho Laws and Decisions, Annotated and Digested.

Aside from Senator HEYBURN's influence upon mining law and his remarkable success as a practitioner, probably the most notable work that he performed prior to his entrance into the Senate was as a member of the constitutional convention of the State of Idaho in 1889. That was a convention made up of men of unusual ability. It included such men as William H. Claggett, one of the most notable characters of the Northwest; William J. McConnell, twice governor of Idaho and one time Senator of the United States; James H. Beatty, later a United States district judge for nearly 20 years; numerous men who have performed distinguished public services, and other men of great ability who have preferred private life.

Mr. Claggett was president of the constitutional convention and Mr. HEYBURN was chairman of the committee on judiciary, and from the advantage of this position and from his own great ability he shaped in large degree the fundamental law of the Commonwealth of Idaho.

### AS SENATOR

Upon entering the Senate March 4, 1903, he was assigned to the chairmanship of the Committee on Manufactures, which chairmanship he held continuously. He was also a member of the Committees on Finance, Philippines, Conservation, Immigration, Mines and Mining, Privileges and Elections, Public Buildings and Grounds, and Public Lands.

Amid his new responsibilities Senator HEYBURN was most industrious, as was his habit of life, and he expressed his ideas upon a great variety of subject matters that the

Senate was called upon to consider, and participated in debate to a far greater extent than is usual among Members of the Senate. Few men were his equal in the matter of information upon so wide a variety of subjects, and few men have had so large a part in the shaping and determining of legislation touching great problems.

As a member of the Committee on the Philippines he drew and reported the Philippine tariff bill which is the present law.

On the statehood question, involving the admission of Arizona and New Mexico, Senator HEYBURN stood for separate statehood, and on two occasions his influence defined the policy of the Senate that the States should be admitted separately and not as one.

On the long and short haul clause of the act looking to the regulation of transportation rates, Senator HEYBURN vigorously contended that no greater charge should be made for a short haul than for a long one.

He was made chairman of the joint committee of the two Houses of Congress to revise and codify the laws of the United States. From this committee he reported and succeeded in passing, first, the Criminal Code of the United States and, second, the Judiciary Title, both of which are now in force.

Mr. HEYBURN opposed the Canadian reciprocity treaty.

He stood for liberal pensions for Union soldiers.

He opposed the making of what were termed peace treaties with Great Britain and France, on the broad principles expressed by President Washington against forming entangling alliances with other nations.

He consistently stood for the protective tariff policy of the Republican Party, insisting upon tariff duties that would give a margin of protection sufficient to insure the markets of our own country to our own people and the

employment of labor at better wages and under better conditions than those that prevail abroad.

Probably, however, the work that Senator HEYBURN performed that will stand out as a monument to him more distinctly than any other specific work was that in behalf of the pure food and drug act of 1906.

To have been a Member of Congress and to have supported the measure is credit enough to ascribe to most Members of either House or Senate. Senator HEYBURN'S relation to the bill was far more responsible than that. Mindful of the splendid efforts put forth by able and earnest men and women in private and public life, and manifested in unusual degree by several Members of the House of Representatives, I think I do not overestimate the work accomplished by Senator HEYBURN when I say that if it had not been for his services the measure would not have passed the Senate of the United States at the time that it did, and while public sentiment was crystallizing in favor of the legislation, it is not likely that the measure would have been passed until possibly a year or two years of time had elapsed, within which the public conscience would have been passed until possibly a year or two years tance of the legislation.

The legislation long had been pending and no conclusion had been reached. Senator HEYBURN pressed the measure during the Fifty-eighth Congress, but was unable to obtain a final vote. During the interval between the Fifty-eighth and Fifty-ninth Congresses Senator HEYBURN gave careful consideration to the question and completely revised the measure which had been formerly proposed eliminating the principles of the establishment of standards by legislation, as well as the provisions for the establishment of a board to fix arbitrary standards that would be binding upon the courts, leaving the violation of the general rules laid down in the act to be determined by the

courts. These principles were carried through and adopted in the final passage of the bill which he drew and which became a law, and which the country over is conceded to be one of the most important pieces of legislation ever enacted by Congress.

This it was that led Dr. Harvey W. Wiley to say in commenting upon the author of the measure:

> I want to see the State of Idaho erect a monument to the memory of Senator HEYBURN, that able representative from the Gem State, who, after one of the greatest and hardest fights ever made in the United States Senate, secured the passage of the pure-food bill and who, after the bill had been passed, was the bulwark around which centered the storm for its enforcement. I want to see engraved beneath that monument the inscription, "His greatest work for humanity was securing the passage of the national pure-food law."

CONVICTIONS

I have called attention to concrete instances of public service performed by Senator HEYBURN. May I say, however, that possibly quite as important as this was the position that he took upon certain fundamental principles of government and society?

Senator HEYBURN was born of Quaker parentage and, as is well known, the Quakers were despised for many years by people in the early Colonies to a degree almost unparalleled in American history.

Undoubtedly the influence of an organization such as the Quakers and the attitude of the world toward the members of that sect contributed in no little degree to WELDON B. HEYBURN'S strength of character and, probably in large measure, modified his attitude toward the definite organizations through which are determined the wishes of society.

The period during which Senator HEYBURN was born is also of interest in calling attention to the influences that

helped to shape his early life. Senator HEYBURN was but a boy throughout the crisis of the Civil War, at the impressionable age that would be influenced in greater degree than probably any other by environment, by discussion, and by the trend of thought among older folks, which, without their being aware of the fact, was making a deep impression upon the earnest young member of the family.

Senator HEYBURN was loyal to the Union. He had absolutely no patience with the causes that led up to the Civil War and was, in fact, bitter toward every movement that looked to the perpetuation of even the memory of that unfortunate crisis in American history. Doubtless his attitude appeals to most people as that of an extremist, and yet I find probably the cause for that extreme position in the intense years filled with the throes of war, with all its suffering and death and sorrow, through which the boy WELDON developed from childhood to young manhood's years. The Battle of Gettysburg, upon which the fate of the Nation in large part hung, and one of the greatest engagements of the world's history, was fought not many miles from the boyhood home of Senator HEYBURN.

An impression was written upon his very character that nothing could efface, and that made him as intolerant toward the memory of the movement that looked to the breaking asunder of our Nation as were those who fought for the Nation's integrity uncompromising and intolerant in their position 50 years ago.

How intense was Senator HEYBURN'S feeling in the matter of the Civil War and his judgment of the tremendous consequences that were dependent upon the outcome of the issue between the North and the South may be gathered from his words in the course of the debate in the Senate of the United States during the time the service

pension bill was being considered. Speaking of the soldiers of that great war, Senator HEYBURN said:

> There was never in the history of the world the performance of men that accomplished such great good as was accomplished by those men. Other soldiers have kept the thrones for kings. Other soldiers have been able to turn the tide of one monarchy against another. Other soldiers have been able to seize new countries and subjugate them.
>
> But this was a soldiery that stood for the preservation of a country that stood then and stands now on a higher plane of civilization than any other country in the world. It may be worth while to save a monarchy and yield your life for it. It may be worth while to keep some petty king upon the throne and even sacrifice your life or your welfare for him. But it is countless times greater to offer your life and make the sacrifice to maintain the Republic of the United States—the only Republic that was known in that day or has been known since that is worthy of the name.

It has been said that Senator HEYBURN belonged to an old school. It has been said that his sympathies were entirely out of touch with the present and that they were more in harmony with a period a half century or a century ago.

Senator HEYBURN believed in making progress slowly and with due respect to the experiences of the past. He believed in the Biblical injunction, "Remove not the ancient landmarks which thy fathers have set." He was not a man who could be swept off his feet by the tide of public sentiment or by the passing whim of an excited day. He was a man not averse to new thought or new ideas, but one who preferred to think carefully and well upon the proposed plans before attempting to revolutionize government and place into actual practice policies hitherto untried.

I believe that had Senator HEYBURN lived at the time the American Government was born he would have participated in the shaping of its fundamental principles. I

believe he would not have been found working in harmony with Jefferson or Madison, but would rather have been found working shoulder to shoulder with Hamilton, with the Adamses, with Hancock, with that body of noble men who felt that republican government was an experiment, and who, while thoroughly in sympathy with the idea of American independence, believed that this Government would do well to maintain such a form as would insure stability, eliminating, however, the idea of perpetual kingship.

Had Senator HEYBURN lived 50 years ago, and during the period that immediately preceded the great Civil War, I have no doubt that in that period he would have been identified with the elements throughout the United States who felt that the institution of slavery was wrong; that the system should be abolished; and that the Government of the United States should be maintained in its integrity.

### A CONSERVATIVE

Senator HEYBURN, with relation to the problems that have confronted our country during the last 20 years, was distinctively a conservative. On the question of election of Senators he was entirely out of sympathy with the movement that has been waxing and waning for three-quarters of a century, until in recent years it culminated with overwhelming power in a demand that could not be disregarded that the Congress of the United States recognize the deep feeling of the American people that this modification be made in our fundamental law. He was one of those who, in the Senate of the United States, opposed the amendment.

Senator HEYBURN had no patience with the demand for more direct expression of the people through the direct primary, the initiative, referendum, and recall, and he

felt that these innovations would produce evil rather than good if given a place in our system of Government.

He was a strong believer in the Federal Government, but believed with deep earnestness that the State should leave to private initiative everything that does not need to be taken over by organized society or controlled by it, as a result of experience that urged that government management or control is for the unquestioned public good.

Senator HEYBURN favored the passage of the pure food and drug act. On the other hand, he bitterly opposed the passage of the act creating the Children's Bureau. Both are the same in principle, yet he condemned the latter as paternalistic. Probably the pure food and drug act may be regarded as the extreme to which he would permit himself to go, and that while the Children's Bureau measure was similar so far as principle is concerned the problems with which it has to do were regarded by him as questions that should be handled through the home or by local instrumentalities within the State.

On the question of conservation Senator HEYBURN took a position that has been earnestly applauded and vigorously condemned. He always maintained with great sincerity the necessity of conservation of the country's natural resources, but he urged that the first natural resource to be conserved is opportunity for a citizen to engage in productive enterprise, having such material as land, timber, power, and water sites, and so forth, as his capital and basis of operation. He opposed the accumulation of vast areas of public land by individuals or corporations. He favored a general and specific plan that would result in the population of the country by actual bona fide settlers. He believed that it is not only the right but the duty of each generation to participate in the use and enjoyment of natural resources, and further believed that

the neglect or failure on the part of the people to do so is the failure of duty on their part toward the growth and greatness of our country. He vigorously opposed the comprehensive policy that has application at present in part and the extension of which is earnestly urged looking to more complete Federal management and control of the natural resources of the country. He believed that the policies that have been followed by our Nation for the past 50 years justify the wisdom of those who had part in their shaping, and he would have applied these policies to the great questions of the day and continued them through the years to come.

### PARTY AFFILIATION

Senator HEYBURN was a Republican—ardent, devout in his convictions, earnest in the defense of that which he conceived to be the basic principles of the party to which he belonged.

Repeatedly during the last year it was my privilege to talk over with him some of the matters that concern our Nation and with which the Republican Party has had to do. Senator HEYBURN believed that the Republican Party has accomplished only part of its great mission. He believed it has more to do, but he did not believe in temporizing. He did not believe in embodying and incorporating as a part of the Republican platform principles that are of popular interest with which he was not in sympathy. True, he believed that this would mean defeat for the Republican Party, if failure to carry an election in a given year means defeat, but he felt that in the end the wisdom of the party whose principles he had espoused would prevail. He believed his party would need to go through the purging of fire that it might be made better and stronger and more able to carry on the work to which

it was dedicated by the immortal Lincoln and his noble coworkers who outlined the principles for which it has stood for one-half a century and more.

### OFFICIAL RESPONSIBILITY

Senator HEYBURN believed that every public official should take seriously the office and the responsibilities of office that are committed to his trust. He believed that the people intend when they elect a man to public office to clothe that man with power to act for them. He believed in the right of petition by the people, but he believed that the right to petition should mean no more than the expression of the views of the people upon a subject in which they might be interested for the guidance of the public official. He believed that the public official is bound by the very obligation of his office to exercise his own judgment in the matter upon which the people have petitioned in the final determination of the problem.

I do not know that he felt this responsibility more keenly because he was a Member of the Senate than he would have felt it if he had been a Member of the popular branch of our National Congress. It may be that recognizing that the Members of the House are elected every two years and are supposed to represent not the State, but the people from whom they come, he would have conceded the right and maybe the duty of the Members to act in harmony as nearly as they can with the sentiment of those who have given to them the commission to serve them. I think that, with respect to the Senate, he never for one moment entertained a doubt as to the responsibility of a Senator.

He did not assume that any constituent who was a petitioner could not handle the same problem with perfect confidence and wisdom if intrusted with the responsi-

bility of meeting the problem, but he did believe that the one to whom that responsibility was given should give of his time and his talents in far greater degree than is asked or even permitted to the average citizen in considering the important problems of the day.

The question of degree to which a member of a legislative body should be responsive to popular will has been one to which the best minds of our country have given attention since the day the Constitution was adopted. There has been no definite course to which the members of legislative bodies could feel themselves committed. Here and there an individual has resigned when he found himself out of harmony with the people who had given him a commission to represent them. Possibly more frequently members of legislative bodies have bowed to the wish of their constituents and have regarded it as their highest duty to obey that wish regardless of their personal desire, feeling that their desire personally represented no more than an individual wish of any citizen who had exercised his franchise in helping to choose a Representative or a Senator.

Again there have been, so long as we have had a Republic, a few men who have stood out for the doctrine that when a commission has been given it has carried with it full responsibility, so far as judgment is concerned upon public questions, throughout the term of service to which the member has been chosen. Senator HEYBURN, probably more than any other man in the last 20 years, stood for this policy. It made him enemies; it made him friends; it caused detractors to rise up; and it produced admirers.

### CHARACTERISTICS

If there were one characteristic that more than any other could be said to be distinctively that of Senator HEYBURN,

I believe that the characteristic of candor and frankness would probably be the one defined. No one needed to wait long to ascertain the position of Senator HEYBURN upon any public question. No one needed to hesitate to raise a question with him for discussion because he did not believe with Senator HEYBURN. I recall that during the first two or three years of Senator HEYBURN's service in the Senate a problem was being considered by the Members of the delegation from Idaho that did not appeal to all of us in the same way. It was at the time when Senator Dubois was the colleague of Senator HEYBURN. I recall that one of the prominent citizens of Idaho made a special trip to Washington in the interest of the measure; I recall that with me he made his visit to Senator HEYBURN and that in my presence he talked over with the Senator his attitude upon the problem. Senator Dubois had not been able to see the question as Senator HEYBURN did, and I recall that just as my friend and I were about to leave Senator HEYBURN's office my friend said to the Senator, "If you like, I will go over and talk to Senator Dubois and come back and let you know just what his attitude is." Senator HEYBURN, in all kindliness of manner and intention, very promptly said in reply, "Senator Dubois and I may not agree upon this problem, but we are able to talk the matter over." In other words, he did not want a go-between. The same idea was characteristic of Senator HEYBURN's relation with myself, and, I believe, with all the Members of the Senate and the House, and, in fact, with all men with whom he had to deal. More than this, Senator HEYBURN admired candor in other people.

When he was elected to the Senate in 1903 there were several strong men contending for the honor. One of these men was the late Hon. George L. Shoup, himself a Senator from Idaho for 10 years. After Senator HEYBURN was chosen he sent a telegram to Hon. Addison T. Smith,

who had been with Senator Shoup during his service in the Senate, tendering him the position of secretary. Mr. Smith promptly replied that he could not accept the position, for he had not been favorable to the election of Mr. HEYBURN as Senator, but, on the other hand, had supported Senator Shoup. Senator HEYBURN replied that if he had not supported Senator Shoup, having been associated with him for so long a time, he would not now be soliciting his services. Mr. Smith accepted the position and at the close of nearly 10 years of intimate association with Senator HEYBURN spoke of him as follows:

No man in public life in recent years has been so misunderstood and misrepresented. He never received proper credit for the splendid work he has done for the State and Nation, as he was always adverse to exploiting his accomplishments through the newspapers. The consciousness of duty well performed was his reward for his arduous labors. Those who were not acquainted with him, and many of those who only saw him occasionally, were of the opinion that he was of an austere and imperious disposition. This was a natural assumption, because of his aggressiveness in debate or when contending for his views on public questions, but to those who knew him best he appeared in his true character. He was generous to a fault, kind and considerate, true to his friends, and loyal and devoted to his family. In fact, I never knew a man who was more interested in his relatives and the friends of his early life and those who endured with him the hardships incident to pioneer days in the Coeur d'Alenes. He was a most congenial and lovable companion, and while he was intensely devoted to his work he always found time to cultivate the amenities of life.

The Senator was most devoted to his State and to what he believed to be for the best interest of the people.

Few men in public life were so well informed generally as was Senator HEYBURN. His mind was a veritable storehouse, and while he appeared at all times to have prepared his addresses with much care, I am satisfied that the language that he used in delivering almost every address

that he made was spontaneous and the facts that he brought out were selected from those that had been stored in his memory through his years of experience.

Upon one occasion he was to deliver a notable address in the capital city of the State that he represented. His secretary, Mr. Smith, observed that the Senator was engrossed in other matters and was letting the days and, finally, the hours pass by without apparent preparation for the address. He finally reminded the Senator of the engagement that he had assumed. Senator Heyburn turned to him and said, "Why, Addison, I have been preparing that speech for 20 years."

As an orator Senator Heyburn must take high rank. From the numerous discussions in which he expressed his sentiments during the running debates in the Senate, no adequate idea can be had of his power. True, even in fragmentary and running debate his sentences were elegant, his words well chosen, and his illustrations apt and drawn from a vast field of experience or from extensive reading.

His occasional addresses, however, told of his strength as an orator and lift him at once into that high plane of public speakers who have contributed to the reputation of our greatest legislative body and give him a place among the men capable of expressing the profoundest truth in perfect diction.

While Senator Heyburn belonged to a family that had given great names to England and America, this fact was not for him to boast, but rather it was a matter for him to carry within his family as a circumstance of great pride and yet not a circumstance that would help him unless he measured up to the responsibilities that a member of that family should assume. In fact, Senator Heyburn believed that there is a responsibility to be borne by every individual and that too much prestige and encouragement

from home may blight an otherwise successful life. In speaking with Senator HEYBURN one time I recall that the Senator expressed to me the idea that it is questionable whether or not wealth bequeathed by a parent to a child does not constitute a curse rather than a blessing. It was his idea that the young man or the young woman should be self-reliant and, regardless of the influence or wealth of his parents, himself assume the responsibilities that life presents.

Senator HEYBURN was one of the most versatile men I ever knew. He was a great lover of nature, and those who had occasion to be with him during his moments of recreation found him one of the most delightful companions that could be chosen for a fishing excursion, a few days in the mountains, or in the varied modes of recreation available to the people of the mountain region surrounding his home.

Again, Senator HEYBURN was a man who did not know what it was to be afraid. This thought applies not only to his attitude in public life upon questions of statecraft, but applies as well to his personal attitude as he met the problems that oftentimes present themselves to a strong man.

I have been told that at one time during labor difficulties near his home when he was warned not to appear because of his attitude toward those who felt themselves aggrieved, he refused to heed the warning, but in a public address upheld constituted authority and warned those who had challenged him that though for a time they might gain control, law and order would be restored and justice meted out to every one of them.

### IN CONCLUSION

The last days of Senator HEYBURN were fitting to the active life that he had led, for most of the time his mind

was clear, and one of his last sentences was with relation to his work in the Senate—"I am worn out, but I am worn out in the service of a great cause"—and as a parting testimony of the conviction of his own soul upon the ever-living inspiration of the ages, he expressed a clear faith and hope in God.

Finally, then, with the candor with which we all view the lives of those whose race has been run, recognizing traits of character that are variously esteemed, recognizing positions upon public questions taken by Senator HEYBURN that were not in harmony with the hopes of his most earnest friends, recognizing that possibly he was not in sympathy with the public opinion prevailing during the last few years of his life, yet recognizing, on the other hand, his strength of character, his honesty of purpose, his fidelity to duty as he saw duty, the fearlessness with which he met and contended with the influences that in one way or another sought to impress themselves upon the tasks with which he had to do, as we recall the memory of one with whom we may or may not have been in accord, we can not fail at this hour to pay to him the great tribute that was paid to another in the words, "Here was a man."

## Address of Mr. Mondell, of Wyoming

Mr. Speaker: It was my good fortune to meet Senator Heyburn soon after his election to the Senate in 1903 and the acquaintance then formed ripened into a friendship which continued to grow and strengthen as time passed.

Of the many virtues which Senator Heyburn possessed the one which most impressed me, and in my opinion was his most striking characteristic, was his unfailing moral courage. He possessed in an unusual degree the courage of his convictions.

It has been my experience that the most common and besetting fault of many good men is the disposition, in the face of opposition, in the presence of criticism, in the interest of harmony, to compromise their views, to waive their convictions.

How few, even of the best of men, can be depended upon at all times and under all circumstances to stand boldly for what they believe to be the right, to stand by and defend an unpopular cause, to voice an unpopular truth, to expose the fallacy of a popular fad, to rebuke forgetfulness of principle.

I do not mean to be understood as holding the opinion that there is lack of loyalty or steadfastness in the world to-day; if the occasion demanded there would be no lack of martyrs to any good cause. At the last ditch and in the final stand for principle men will be found as true and as faithful to-day as ever in the tide of time. In fact, believing as I do that the world grows steadily better, I am of the opinion that in any crucial test for a principle mankind is generally far more dependable now than in former days.

What we do lack is an appreciation of the importance of voicing our protest at all times against harmful tendencies, against indifference, against that denial of truth

or of a cause which is involved in ignoring it. We are too prone to stand silently or idly by while truth is flaunted or ignored.

Of all the men I now recall whom I have known, he in whose memory we are gathered to-day was most free from this fault and weakness. His devotion to those principles in which he believed—his loyalty to every cause he espoused or cherished—was so intense, so earnest, so unwavering, that he never hesitated to boldly and bluntly declare his position and express his convictions, utterly regardless of the effect such declaration might have on his fortune or his reputation.

This characteristic of our departed friend was the more noticeable in view of the fact that he possessed a heart overflowing with kindness; that he was tolerant of the views and opinions of others; that he was considerate of the feelings of those who differed from him. His ruling passion, however, was intensity of conviction. Those principles and policies which his judgment approved he believed in with all the fervor and devotion of a crusader, and to him an attitude of indifference, or of easy tolerance, in the presence of an attack upon them, directly or indirectly, or even by analogy or inference, was unthinkable.

He was a loyal knight, with ever-ready lance, quick not only to repel attack on those things he held sacred but to carry the warfare into the enemy's camp. In his opinion no good soldier of a cause had performed his duty by merely holding steadfastly his position; there was the duty of countercharge, with a view, if possible, of dislodging the opposition from its position.

Holding these views of his duty and possessing the courage necessary to live up to them, it was inevitable that in his political career and in the performance of his official duties he should have run counter to the views

of many men and have had sharp and pointed differences with them, and yet so apparent was his sincerity, so manifest the honesty of his purpose, so free from malice or unkindliness were the blows he delivered, the home thrusts he gave, that he disarmed hostile criticism and often made of those with whom he most differed his warmest friends.

The lives of men whose lives are conspicuously worth while are valuable to us to the extent that we take to heart the truths which such lives emphasize. The life of our departed friend and colleague was useful and valuable in many ways. His influence for good was exerted over a wide field, embraced many subjects, was helpful to many people, but, in my opinion, that influence was most potent, will be most permanent, in its emphasis of the importance of deep and steadfast conviction and unfailing courage in defense and support of such conviction. His example reminds us that it is as much our duty to utter the note of warning, to challenge the false step or dangerous tendency, where to do so is neither popular nor palatable and can have no immediate effect, as to do so when such action is popular and likely to be promptly effective. In fact, in the former case the duty is the more imperative and its performance the more meritorious because of the courage required in its fulfillment.

In the passing of Senator HEYBURN every good cause lost a fearless champion, and we who knew him lost a faithful friend. The great Northwest country, where he lived so long and whose interests he so courageously and effectively supported and defended, sincerely mourns him. He passed away in the full flower of his usefulness, and yet his life was peculiarly complete, and when the summons came he left us the blessed memory of a life of great and lasting usefulness and of a character rich in all the manly virtues.

## Address of Mr. Kahn, of California

Mr. Speaker: Weldon Brinton Heyburn was one of the striking characters of the United States Senate. His early education eminently qualified him for a seat in that body. He was one of the best-informed men that I ever met. As a lawyer in the West he occupied a preeminent position. For over 30 years he practiced in the courts of his own State of Idaho, as well as in the Federal courts of nearly all of the Western Commonwealths. At heart he was a most kindly, courteous gentleman. He took an active part in the councils of his party. He was a thoroughly intense partisan, but was always fair in dealing with his political opponents. He had pronounced views upon all great public questions and always had the courage to express them. The matter of retaining popularity with the masses did not swerve him from what he considered to be the path of duty. There was no demagogy in his entire make-up. He never weighed the effect of his utterances on questions of the day upon his own fortunes. He was not what politicians call a "trimmer." Everyone knew where he stood on those subjects that were of absorbing interest to the American people, and even though one might not agree with him in his position, one always admired his courage in his fight for what he deemed the right. And once having made up his mind as to what he believed to be the right course to pursue, he steadfastly followed that course regardless of the attacks that were made upon him by his opponents. He was an indefatigable worker. He was just the kind of man that is needed in our public life. He was a forceful speaker, a ready debater. He was outspoken and blunt, at times almost to the point of brusqueness. Fearless, honest,

faithful, and straightforward, he never hesitated to tell the truth, even though the telling thereof may have had occasion to cause temporary wounds. He took an active part in the debates of the Senate and helped to frame some of the most important laws that have been enacted during the last decade. His was a rugged physique, and I believed that he would enjoy many years of usefulness in the Senate; but it was not to be. He was stricken some months before he passed away, and when the end came it was not altogether a surprise to his near friends. He has gone to his reward; but in his adopted State of Idaho there are dozens of young men who will always revere his memory; they looked up to Senator HEYBURN as a true leader whom they might well follow. He was always ready to extend a helping hand to the struggling, ambitious youth of his State. They could always turn to him for counsel and advice; he inspired them with the courage to dare maintain the right. We join with them and with all who were permitted to know him in this life in expressing our appreciation of his worth as a legislator, his patriotism as a citizen, and his straightforward honesty as a man.

At this point Mr. French assumed the chair as Speaker pro tempore.

## Address of Mr. Stevens, of Minnesota

Mr. Speaker: The numerous melancholy occasions of this nature during the Sixty-second Congress have brought very vividly before us the truths not only as to the fleeting existence which is common to all mankind, but also that the struggles and stress of active public life do seriously impair the vitality and diminish the length of days of even the most robust of our colleagues. Perhaps as notable example of this is to be found in the life and departure of the man whose memory we honor by these exercises. His Quaker ancestry had transmitted to him that strength of mind and body which has so distinguished that splendid people wherever they may be found, and to the limit of his superb powers had he utilized the virtues, the character, the vigor, and the ability with which he had been so plentifully endowed. As has been the case with multitudes of American youth, from a restless spirit of adventure and a desire for personal advancement, young Heyburn sought the West with its hardships, its freedom for growth and action, its opportunities for development of the greatest, best, and most which was within him. He entered into the spirit and life of those frontier days, and with his sound legal training, his strength of personality, and undaunted courage and perseverance, soon had a large share in the formation of the career and character of the vigorous young Commonwealth where he had chanced his fortunes and established his western home. The strong, practical, and capable men who associated with him early recognized and appreciated his usefulness and capacity, and at the age of 51 he was elected to represent his State in the Sen-

ate of the United States. There he speedily became a conspicuous, forceful, and thoroughly capable figure, with a faculty for useful and practical industry and a marked ability for an effective presentation of his views upon the great diversity of public questions upon which we are all compelled to pass in our work as legislative representatives of a great people. Early in his senatorial career Senator HEYBURN attracted attention by his most efficient work as chairman of the then comparatively insignificant Committee on Manufactures, but which had jurisdiction of legislation concerning pure food and drugs, which under his guidance was so soon to benefit the health and pockets of the American people.

There was a general realization throughout the country that some proper and adequate laws should be passed by Congress regulating and controlling the commerce of the necessities for our people, so that they should be protected as much as possible from fraud and deception, and so that the States could safely follow in such paths the wise and salutary rules laid down by Congress. Naturally there were strenuous objections to any such legislation, not from those who did not desire any such regulation, but from a great body of reputable and prudent business men, who had apprehension as to the effect of such a new departure upon their affairs conducted along lines entirely praiseworthy and in a safe and legitimate way. So it did require much courage, skill, persistence, and industry to overcome these obstacles and bring success to such a tremendously important task. Senator HEYBURN contributed a very large share toward it, and if he had performed no other public service for the American people they should ever be grateful to him for his labors at a critical time toward that legislation which has been so salutary and which has exerted so beneficial an influence among the States and throughout the country.

He was the special champion of his people and State and section of the country against that policy of conservation of the natural resources of the West which he conceived could only result in their injury and prevent proper and adequate development. This contest was constant and prolonged and enlisted all of the powerful resources of his rugged and forceful nature and all of the capabilities which so distinguished him among his compeers. His great wealth of information, his profound knowledge of legal principles, his long and varied experience among his people and in the development of his splendid young State, his strong and logical intellect and superb powers for the presentation of his views, gave him an influence in the discussion of these subjects such as had few of his colleagues. His industry and devotion to his people and their interests, the incessant demand upon him to care for them as adequately as he thought was required of him, drew heavily upon his vital forces.

He would not rest when the contest was on concerning public matters before Congress or the departments strongly affecting his constituents. This devotion and this persistence and unwearying zeal for those whom he represented and whose welfare was so dear to him weakened even his rugged frame and reduced even his wonderful reserves. No one can estimate how much such labors assisted toward shortening his days and hastening the inevitable end.

Unless one had a chance to know him well, there could never be discerned or appreciated the great wealth of sentiment or the keenest human sympathies and kindliness in his nature. It was my privilege to meet him a number of times during one of the few vacations he had while in public life. He was traveling in Europe with his family and had cast aside the many cares of his high office and was enjoying as a boy the scenes and impres-

sions which the Old World made upon him, whose nature was so typical of the American West. I especially recall his delight in his touring of England and Scotland, whose history and poetry and romance had long been so familiar to him and which had filled such a part in his own heredity, experience, and culture. Then became revealed to us who were with him that extensive reading and rare appreciation of the beauties of nature and literature which we soon realized that he possessed. We came to know from such intimacy what a strong, true, loyal, and devoted soul he had and what a sure and firm foundation was his for his unremitting labors for his people and for his country. He had the courage to stand upright and proclaim the faith that was in him and of which he was ever proud at a time when real men were sorely needed. "The deepest hunger of a faithful soul is true faithfulness."

His departure is sincerely mourned as a national loss among those who were associated with him, and those who knew him best will ever cherish his memory as of a loyal and delightful friend, a wise and prudent associate, and a patriotic and devoted servant of his people and lover of his country.

No man better exemplified the truth of the poet—

> The valiant never taste of death but once.
> Of all the wonders that I have heard
> It seems to me most strange that men should fear,
> Seeing that death, a necessary end,
> Will come to him, when it will come.

## Address of Mr. Howell, of Utah

Mr. Speaker: It was after my election as a Member of the House of Representatives that I was privileged for the first time to visit Washington and behold this splendid edifice, this imposing Capitol of the Nation. Grand and glorious as it impressed me then, its magnificence and glory have constantly grown upon me. So, too, my service in Congress has profoundly impressed upon me more and more as the years flit by the high character, industry, devotion, and patriotism of the great men chosen by a free people to bear the responsibility and discharge the arduous, perplexing, and important duties of government. In these days, when the freedom of the press attains its fullest publicity, prominent men in public life are known to the mass of the people in the light of their character and service as set forth in the press and periodicals of the time; but from the very nature of the intimate association of its membership, of their collaboration together for the public weal, the Senate or House becomes the truest and most perfect judge of the ability, character, and worth of its Member. No weak or unworthy man can rise and long maintain commanding influence in either body. And so the time-honored custom of setting apart a day for paying befitting tribute to the memory of our comrades whose life mission is ended is most beautiful and admirable. In the years to come, after the keen sorrow of parting with our friends has mellowed to a fond recollection of all that they were when they were tabernacled in the flesh, to read what is said to-day will awaken long-buried memories and inspire new courage to press forward in honorable effort to "make our lives sublime." We are assembled on such an occasion to-day, and I improve the opportunity to voice a simple, homely tribute

to the memory of WELDON BRINTON HEYBURN, Idaho's distinguished Senator, the Republic's honored son. He entered the Senate at the same time I became a Member of the House. While our duties here did not throw us into the closest association, having local interests in common I came to know him well and to admire and honor him. His earthly probation extended over but little more than 60 years, but on the 17th day of October, 1912, when he was called away, his earthly record measures up to the fullness of a well-spent life. Time will not permit nor is it necessary for me to recount his distinguished public services. They are recorded in the history of his State and in the annals of the Senate and his country. Suffice it to say that he took an active and leading part in all the great questions before the country in the last decade. At the close of his first term in the Senate, for the information of his people, a complete record of his industry, achievement, and his attitude on all public questions was compiled.

This record is replete with the evidences of his great industry and his statesmanlike grasp and his ability to elucidate grave public questions. Upon this record he again sought a commission as Senator and was triumphantly elected. This was strikingly characteristic of the man. He was bold and strong and frank, and disdained to espouse or support any cause against his convictions merely to thereby court public favor. He believed in clear-cut issues and an honest declaration of policies and purposes. He loved his State and country to such an extent that patriotism was a passion with him. He hated fraud, pretense, and dishonesty in every relation of life. His championship of the pure food and drugs act and its passage under his leadership through the Senate is typical of the man and exemplifies his intense aversion to deceit, fraud, and dishonesty in commercial affairs. He sprang

from forbears who for generations had inherited a love of freedom and an orderly adherence to laws and institutions designed to secure this great boon. He was firmly set in his convictions, and did not easily sway with the winds of every new doctrine. He venerated the true and proven wisdom of the past, and in adopting new and untried experiments affecting the fundamental principles of our Government he adhered to the well-known, salutary maxim, "Make haste slowly." He was able in debate, wise in counsel, devoted to the best interests of his State and country, and supremely endowed for most valuable service in the high council of the Senate. Who can properly estimate the value of such a life? Who can fully appreciate the enduring light shed forth by his work? Such men are the salt of the earth, the pillars of the temple of liberty, the torches which light the pathway of liberty. I do not agree with the great poet in the doctrine that "the evil that men do lives after them; the good is oft interred with their bones." I am led rather to cherish the thought that the good that men do shall survive, the evil shall perish. The qualities of virtue, honesty, duty, patriotism, unselfish devotion to man, country, and God bear within them the seeds of their own preservation and reproduction. Noble spirits have left their impress upon the world. We have them with us in this day and time, and in the future they will come to us and assume their rightful place of leadership among the children of men, and progress and liberty will continue to go forward hand in hand.

Senator HEYBURN profoundly realized the nature of his sojourn here. He was fully impressed that—

> Life is real! life is earnest!
> And the grave is not its goal!
> Dust thou art, to dust returnest,
> Was not spoken of the soul.

Memorial ceremonies naturally lead to the contemplation of the brief span of life here, with all its vicissitudes and the limitless eternity on either side. I rejoice in the firm faith that "he is not dead; he has risen to a higher and more enduring sphere of activity and usefulness." "The glory of God is intelligence." That degree of intelligence to which he has attained is but symbolical of a future of eternal progress and development. His mission here is completed. He rests from his labors, and his works do follow him.

"This pleasing hope, this fond desire, this longing after immortality" is well expressed in this simple prayer to our heavenly Father:

When at last when I've completed
All Thou sent me forth to do,
With Thy mutual approbation
Let me come and dwell with You.

## Address of Mr. Bartholdt, of Missouri

Mr. Speaker: I have not frequently come in personal contact with Senator Heyburn, but I have watched with growing interest his many activities as well as his utterances on the floor of the Senate. To me there was something unusually attractive in his rugged manhood, his extraordinary ability, his eloquence, and readiness at repartee. To a still greater degree was my admiration challenged, however, by something which I prize more highly than all these. It is that quality which distinguishes a real man from a mental weakling, namely, courage of conviction. In the case of Senator Heyburn this term implied not only unswerving loyalty to the ideals and traditions of the Republic, but also the bold and fearless expression, irrespective of consequences, of his honest opinions. This quality caused his friends to admire, his foes to fear him, but insured him the respect of friend and foe alike. It is an attribute of character which, judging from practical experience, seems to have become sufficiently rare in these days of popular unrest to merit special mention wherever we see a manifestation of it. Men in public life can appreciate even more than those in private life its incomparable significance and value. It means that we speak and vote in accordance with our convictions. It means for us to take our political life in our hand and defend, by voice and vote, what we honestly believe to be right. No matter whether it leads to greater popularity or to political self-effacement, there must be no compromise with what is repulsive to our hearts and minds, and our advocacy of what to our conscience is right and the resistance to what seems to us wrong must be more than passive. It must be active. Fortunately

for our country, there are still many who practice this greatest of all public virtues, but among them our departed friend held foremost rank. As a consequence of that noble trait it was quite natural that his public career should have been encouraged by strong friendships and, on the other hand, beset by strong antagonisms; but, as I said before, friend and foe alike readily recognized and respected his mental honesty, his integrity of character, and his manly courage.

Senator HEYBURN was a Republican. He believed in the high mission of his party to forever be an instrument of the people for sane progress and reform. He was a "standpatter" when asked to go wrong and a progressive when progress was in the right direction. He sincerely believed in representative government under the Constitution, and could not make up his mind to consent to political experiments where popular rule, under existing forms, had been such a phenomenal success. The conservatism of his nature rebelled against risking a leap into the dark—and this is what, to his mind, unbridled majority rule signified—at a time when the country enjoyed the blessings of unparalleled prosperity, when, consequently, there was no valid excuse for untried innovations in government, and when further progress along sane and safe lines and along the pathway of constitutional rule was the watchword of his party under a President who, in faithful performance and honest enforcement of the laws of the land, has not had a superior in the annals of American history. While the political storms raged all about him, Senator HEYBURN stood firm, anchored to the solid rock of good judgment and honest conviction, and it is my earnest belief that, had he been permitted to stay among us but a few years longer, he would have lived to see his judgment vindicated.

For reasons inscrutable to all save Providence he was taken from us in the prime of manhood and while great questions of concern to his constituents, to his State, and country were calling for his cooperation and for the exercise of his indomitable energy and rare intellect. In mute grief those to whom he was nearest and dearest as well as all his contemporaries and colaborers must bow to the inevitable. His untimely death was an irreparable loss to both the State of Idaho, which he so ably represented here, and to the Nation and will be mourned by all. He was a great citizen, a great lawyer, and a great legislator, but his most fitting epitaph would be: "He was a man."

## Address of Mr. Hawley, of Oregon

Mr. Speaker: A man who rises to distinction above the high average of unusual ability to be found in the House and Senate does so by reason of some exceptional value as a public servant and as a man, and this question of the value of the man in the public service is a question I desire to discuss briefly in connection with Senator Heyburn, whose memory we revere in the ceremonies of to-day. Congress legislates upon information and opinion. Upon the sufficiency of the information and the soundness of the opinion derived therefrom depends the value of the legislation which may be enacted. Legislators seldom build better than they know. While it may appear that some former legislative body did an unusually wise thing that survived through the ages, it is not because they had any unusual understanding of the times to come, but because the conditions under which they legislated were continued to or repeated in a later time. Therefore I repeat that upon the sufficiency of information and the soundness of judgment the value of legislation depends. A man who comes into either House and by industry in the ascertainment of facts, honesty in their statement, and care in their interpretation does the public a useful service and becomes a distinguished man.

To illustrate what I have in mind: Savonarola at the time of the death of Lorenzo the Magnificent, in Florence, and the expulsion of his son Piero, found the city without a government and the citizens unable to found a government for themselves. He did not as a creator manufacture a government out of hand for the Florentines, but from a great knowledge of the governments of his time he decided that the government of Venice, with suit-

able changes, would be best adapted to Florence. This he advocated in public addresses, and following his suggestions and his leadership the people of Florence established a government modeled upon that of Venice. The government so organized is said by the historians without exception to be the best government the Florentines ever had. Simply because he had adequate information and the soundness of interpretation at a critical time in his state's history Savonarola rendered his people a great service.

There gathered in Philadelphia in 1787 a body of men who were charged with the duty of framing a Constitution for the government of a people recently free. The English historians say the colonists of this country had been buying more law books than the citizens of England had been buying, and they had been buying histories and other books on political affairs. When that body of men came together they did not strike out at white heat a new thing, but out of an adequacy of information and soundness of judgment upon the events history had recorded of man's endeavors to govern himself they organized the best government that could have been instituted for our country.

What I have in mind in considering the public services of Senator HEYBURN is the importance of adequate information and of sound opinion derived therefrom. The encyclopedic character of his information, both as to the law and the facts relating to subjects pending before the Senate, was universally conceded. When he arose to speak it was with the fullness of information, and when he presented a case it was with a wealth of illustration, so that not only his supporters but his opponents profited by his industry, his care, his painstaking labor, which led to fame.

Falstaff says of himself:

I am not only witty, but am the cause of wit in other men.

So Senator HEYBURN himself was not only industrious, but was the cause of industry in other men; not only possessed of a great fund of knowledge, but caused other men to be similarly possessed; was not only himself a statesman, but, because he was a statesman, he led others to statesmanlike emulation. Not only was he an effective public servant, but by faithful service and by information and soundness of opinion he led others to such industry as would make them more effective and faithful public servants.

He lived but 60 years, and he served his country usefully, effectively, honorably, and courageously. "That life is long which answers life's great end." And when he died some great causes lost a great champion.

Ah, who that gallant spirit shall resume,
Leap from Eurota's banks, and call us from the tomb.

If Senator HEYBURN knew the matters of the spirit as well as he knew the matters relating to his public duties and private obligations, then for him "the morn in russet mantle clad, walks on the dews of Heaven's high hills." Let us so hope.

## Address of Mr. La Follette, of Washington

Mr. Speaker: The late Senator Weldon B. Heyburn, of Idaho, was to me one of the most unique characters in American political life. My personal acquaintance with him was brief, dating only from the beginning of the short session of the Sixty-first Congress. He was what was known as an "old-line" Republican, while I had been elected to the Sixty-second Congress as a Progressive Republican.

I came to Washington in the early days of December, 1911, and occupied my time during the short session of the Sixty-first Congress about evenly between the House and Senate, familiarizing myself with men, measures, and methods of procedure.

Senator Heyburn had been in the public eye in the neighboring State of Idaho for many years, and after entering the United States Senate had become a national figure, but I confess that, as a Progressive Republican, I came to Washington somewhat prejudiced against his political attitude and activities. During the closing days of the Sixty-first Congress, however, I found myself observing and studying him more closely. More and more was I impressed with his industry and perseverance, his intimate knowledge of all measures that came before the Senate, his terse commendations of those he considered meritorious and his scathing denunciation of those he regarded wrong or ill-advised.

It mattered not to him whether the measure he disapproved was championed by his political friends and colleagues, his position never swayed. Long before the end of the Sixty-first Congress there sprung up within my inner consciousness an admiration for the man. His inti-

mate knowledge of all legislation coming before the Senate, his careful analysis of every proposal, his quick perception, his energetic protests, his keen and logical thrusts at his adversaries in debate, excited my admiration and wonder, and I could not help feeling when he died that the country had suffered the loss of one of its most painstaking and industrious public men—a statesman, indeed—and one who had probably checked as much unwise and ill-considered legislation as any man of equal service who ever sat in Congress.

Senator HEYBURN's interest in public questions was so unceasing and his capacity for work so inordinate that but little, if any, legislation ever passed the Senate during his period of service without either his earnest assistance or his vigorous opposition. His unflinching courage and his indomitable zeal have earned for him a lasting place in America's political history.

Mr. Speaker, when the wires carried the intelligence that death had brought to an end the career of Senator HEYBURN his home State of Idaho felt it had sustained a great loss, and this feeling was shared by the Nation.

The press of the country, engaged as it was in a bitter political struggle, did not fail to give a full meed of praise and a calm judgment of mankind on the life and work of a great man, and I will insert in this brief tribute a few of the many expressions of the press of the country, some of his home State and some of other States of the Nation.

The Idaho Statesman, on October 18, 1912, said:

> When one who has been a tried and true friend dies, the loss is not expressible in badges or in tears. We may not have agreed with him in all things, but we could always depend upon him as a friend, never faltering in his loyalty for us nor in his duty to us.
>
> The State of Idaho has just lost such a friend in the death of Senator HEYBURN. Many of the people he represented so long

in public place have not always agreed with him, but they knew he could be depended upon to fight for his State, and he always did it.

. . . . .

Senator HEYBURN was a "standpatter" because he was never vacillating. He could no more indorse irrational or radical ideas, paraded under any guise, than he could abandon his position for fear the crowd might not applaud him. He was conservative in all things, some say ultraconservative, because it was the surest guaranty of safety, in his opinion; and time generally vindicated his judgment. Because of his strict adherence to constitutional forms, because of his allegiance to the traditions of our fathers, the Senator encountered many foes who might not otherwise have been pitted against him; but they ever found him equal to their most skilled attack and challenging their best defense.

. . . . .

The keynote of WELDON BRINTON HEYBURN'S life work was "courage"; the pattern woven in the fabric of his official career was "firmness"; the lesson he leaves us is their application.

The Salt Lake Herald-Republican said:

Senator HEYBURN was a statesman of high ideals, unflinching courage, and steadfast in his adherence to the principles of the Republican Party. He took high rank in the Senate and wielded a powerful influence.

The New York Tribune said:

The State of Idaho can easily elect a successor to WELDON B. HEYBURN, but no one can really replace him in the United States Senate. His position in that body was unique. He delighted to be classified as a "standpatter." He was really a "standpatter" who bent backward. It will be impossible to find another man who will play the part of ultraconservative with the unction, the sincerity, and effectiveness which Mr. HEYBURN always displayed and which finally made him one of the institutions of the Senate. He was himself institutional in character, rooted in convictions and prejudices which never could be shaken by any mere disturbances of the outer crust of politics.

He remained patriarchal in his ideas, just as if the patriarchal age was a thing of yesterday. When the Senate was discussing an eight-hour law for Federal employees, he quoted the commandment, "Six days shalt thou labor"; and said that, in his opinion, a day meant the space between sunrise and sunset. Not in a spirit of humorous exaggeration, but in one of downright seriousness, he contended that it was a neglect of the biblical injunction to call eight hours a day for working purposes. He was willing himself to work from candlelight to candlelight, and wanted everybody else to live up to the ancient pastoral standard.

In tariff legislation he held that a higher duty was always preferable to a lower duty, and no duty could be put too high to please him. He never realized that the Civil War was over, and felt it a duty to rasp the sensibilities of his southern colleagues whenever anything was proposed which even squinted at a condonation of secession or official recognition as such of former participants in the war against the Union. He was uncomfortably inflexible on that as on all other subjects.

Yet with all his irreconcilableness he was a useful and popular Senator. He never spared himself, and won his way to the front as a legislator by sheer endurance and capacity. He fought through the pure-food bill and later took the lead in codifying the laws of the United States—a wearying but very important work. He enjoyed the respect of his colleagues because he was positive and earnest in all things—a man who thrived on antagonism, but whose public services were always transparently clear and honest. His extremism never incapacitated him for helpful service or obscured his sterling personal worth.

The Pocatello (Idaho) Tribune felt that—

In the death of United States Senator W. B. HEYBURN Idaho has lost a great man. He was great in many ways. His absolute fearlessness, his tremendous steadfastness, were marked characteristics. That he lacked tact was one of his failings, but it was a human failing and a forgivable one. As a Senator of the United States, as a statesman and lawmaker, he was far above the average. His deep knowledge of the law made him a looming figure in the greatest legislative body in the world. Big of body, heart, and mind, he stood out prominently among the men in the upper Chamber.

The Portland Oregonian commented:

What HEYBURN believed he believed with all his heart and mind, so that he invited and sustained the criticisms and attacks of many opponents. But he was an honest man and courageous. If he talked too much, he always talked well. If he hated disloyalty, he made manifest his own patriotism by outright word and deed. If he was too prone to deem others wrong, he strove always himself to be right. Idaho will miss Senator HEYBURN, and so will the Nation. Likely enough the Senate needed a corrective force and an admonitory voice.

The Hailey (Idaho) Times said of Senator HEYBURN:

An indefatigable worker, no important measure ever secured the attention of the Senate without his voice being heard either in support or opposition to it until illness incapacitated him. Endowed with many qualities of leadership, he immediately upon taking his seat took a front rank in the greatest deliberative body in the world, and he sustained it to the end.

The Lewiston (Idaho) Tribune, a stanch Democratic paper, spoke as follows:

It is observed that in the tributes being paid to the dead statesman all are impressed by his loyalty and love for this State of his free adoption. And that epitaph is fine enough to rear over the relics of any man. There may have been minds of greater brilliancy and tongues of more silvery eloquence, but there was none who loved his country more and served his constituency so tirelessly. He was a man who lived up to his creed, and in his clean record there can be found some useful lessons for those who survive him, and especially for the ambitious young men of his adopted State.

The Richfield (Idaho) Recorder commented as follows:

No one ever wondered where he would be found or whether he would be in the same place the next time; everybody knew where he would be—that he would stay. The sublime virtue of steadfastness was his in the superlative degree. It was a virtue which helped win Idaho a commanding place in the councils of the Nation.

The SPEAKER pro tempore. In accordance with the resolution previously adopted, the Chair declares the House adjourned until 10.30 o'clock to-morrow morning.

Accordingly (at 8 o'clock and 28 minutes p. m.) the House adjourned until to-morrow, Monday, February 24, 1913, at 10.30 o'clock a. m.

## Death of Senator Heyburn

[From the Washington (D. C.) Post, Oct. 18, 1912]

Senator Weldon Brinton Heyburn, of Idaho, died at the Wyoming Apartments last night, after a lingering illness. He was 60 years old and had been in the Senate nine years. A complication of diseases involving the heart and kidneys caused the Senator's death. He had not been well since last March, when he collapsed after delivering a speech in the Senate on the arbitration treaties in spite of the doctor's warning that the effort might cost him his life.

Several weeks ago, apparently gaining strength after a serious relapse, the Senator and Mrs. Heyburn made preparations for a trip West. Another relapse followed, however, and since then the patient had been growing steadily weaker. Yesterday the doctors thought he had slightly improved, but death came suddenly a few minutes before 8 o'clock last night.

Senator Heyburn recently suffered frequent attacks of heart failure. Warned by his physicians that he must not work so hard, he replied that he knew "no nobler way to die than fighting for his convictions." He made a game fight for life up to the last and took frequent short rides in his automobile up until the last two weeks. For the past four days he had been given oxygen in large quantities and spent most of his time silting in a chair by a window overlooking Connecticut Avenue, where he seemed to breathe easier. Last Monday he called up Philadelphia by telephone and asked his brother Elwood M., two years his junior, to come to Washington. The brother did, and since then the two had many interesting talks of their boyhood days spent near the Germantown battle field.

The Senator was attended by his wife, his brother, Miss M. F. Yeatman, a sister-in-law, and one of his secretaries, Hugh F. Smith, and his last words addressed to them were, "I have lived my life as best I could within the power of human limitation" and "I am worn out in the service of a great cause."

## Funeral Services

Washington, D. C., *October 19, 1912.*

Simple funeral services for the late Senator Weldon Brinton Heyburn, of Idaho, were held this afternoon at 3 o'clock, at the family home here. The services were conducted by Rev. Ulysses G. B. Pierce, Chaplain of the Senate. The apartment was crowded with friends assembled to pay their last respects, among them several Members of the Senate, various Government officials, and personal friends not in official life. After prayer, Dr. Pierce read a selection from the Psalms and fourteenth chapter of John, and also selections from Lowell's "Elegy on the Death of Dr. Channing," which was particularly appropriate, and from Whittier's "The Eternal Goodness." Having long known Senator Heyburn, Chaplain Pierce paid a personal tribute to him as a man and as a statesman. The services were brief and closed with prayer. There was no music.

The body of Senator Heyburn was placed in a handsome black broadcloth-covered casket with silver mountings, a duplicate of that in which the late Justice Harlan was buried. It bears a silver plate inscribed:

"Weldon Brinton Heyburn, May 23, 1852, October 17, 1912."

The parlor of the Heyburn home, in which the body lay, was literally filled with flowers, the tributes of loving friends. The casket was banked high and the pedestals completely hidden with blooms, while around the room were innumerable set pieces and clusters of flowers. From the Senate was a large cluster of American Beauty roses, orchids, violets, lilies, and white chrysanthemums. The Republican League of Idaho sent an anchor of white roses, the Idaho Woolgrowers' Association a bank of white roses and white chrysanthemums, and the lead workers of the Bunker Hill & Sullivan mine a wreath of American Beauty roses intermingled with orchids and pink chrysanthemums.

Accompanying the remains of Senator Heyburn to-morrow will be the widow; the Senator's two brothers, Elwood and William; his sister-in-law, Miss Mary Florence Yeatman; his sister, Mrs. Henry C. Marshall, and her husband; and his two secretaries, Miss Ellen C. Talbot and Hugh F. Smith.

The casket was draped with American flags, the first flags to carry stars of Arizona and New Mexico. One of the flags was the identical flag that floated over the United States Senate the night the Senator made his last address in that Chamber.

To-morrow morning the remains will be taken on an early train to Pennsylvania for burial.

Vice President Sherman appointed as a committee from the United States Senate to attend the funeral Senators Borah, Gallinger, Lodge, Bacon, Martin, Warren, McCumber, Bailey, Dillingham, Clapp, Clarke of Arkansas, Clark of Wyoming, Smoot, Stone, Oliver, Pomerene, and Paynter.

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[From the Daily Local News, West Chester, Pa., Oct. 21, 1912]

BURIAL OF SENATOR HEYBURN—OVER 1,000 PEOPLE WITNESS THE LAST RITES AT BIRMINGHAM—DELEGATION FROM UNITED STATES SENATE AND HOUSE OF REPRESENTATIVES WERE PRESENT AS HONORARY PALLBEARERS—TOUCHING ADDRESSES AT GRAVE

Just as the October sun was descending in the west, tinting the trees in the background in their fall foliage with a halo of golden colors, fully 1,000 persons, many of whom were people of note, stood with bowed heads in the historic little Birmingham Cemetery and paid silent tribute as the remains of United States Senator WELDON BRINTON HEYBURN were lowered into the grave.

In the crowd that stood with uncovered heads were several of his colleagues in the Senate and House of Representatives, who had come on a special train from Washington to pay their respects to the dead statesman, and all of them showed the deep feeling they cherished for the man whom they had grown to love even if in some of the battles he had waged for the country's good they had not agreed with his views.

Long before the funeral procession arrived many teams and automobiles drove into the cemetery, while many, owing to the beautiful day, walked from near-by points, and while waiting for the remains to arrive wended their way through the "little city of the dead" and viewed the graves of relatives and friends long since departed.

The funeral party arrived in West Chester from Washington on a special train at 1.15. The front coach contained the committee

which represented the United States Senate, of which Mr. HEYBURN was a member, and consisted of Senator Thomas H. Paynter, of Kentucky; Senator Atlee Pomerene, of Ohio; Senator George T. Oliver, of Pennsylvania; and Senator Bankhead, of Alabama. Congressman R. O. Moon, of Philadelphia, representing the House of Representatives, was also in the party. The committee was in charge of Deputy Sergeant at Arms of the Senate E. L. Cornelius and Acting Sergeant at Arms of the House of Representatives William D. Nichols. In the other coaches were Mrs. Heyburn; William Heyburn, of Kentucky; Mrs. Wesley Batting, of Montclair, N. J.; Mr. and Mrs. Henry C. Marshall, of Swarthmore, Pa.; Mr. and Mrs. Ellwood M. Heyburn, of Swarthmore, Pa., a brother of the late Senator; and many other relatives who were accompanying the remains to their last resting place.

Arriving in this place the party took cabs and followed the hearse to Birmingham Meeting House. Here Congressman Thomas S. Butler, who was appointed on the committee from the House of Representatives, met the party, and the funeral cortège was formed with the Senators and Congressmen in the lead and the remains, covered with the United States flag sent from the Senate Chamber, the first one made containing the 48 stars, was carried into the little meeting house, which by this time was filled to overflowing. The casket was placed in the front of the room and at its head was placed a beautiful floral tribute from the United States Senate in the shape of a wreath of roses and smilax on a pedestal. In the gallery at the front of the room the pallbearers and the Representatives from Washington were seated.

After a short period of silence Henry W. Wilbur, of Swarthmore, a leading member of the Society of Friends, arose and delivered a most beautiful talk on the virtues of the dead man. His remarks, plainly heard all over the room and by those on the outside, were perfect in thought as to the life of usefulness that Senator HEYBURN had lived and the great lesson he had taught the living as to the doing of good and charitable acts. Mr. Wilbur's remarks brought tears to the eyes of many by the able manner in which they were delivered.

The substance of Mr. Wilbur's remarks follows:

"This large company of friends of Senator HEYBURN's early days, their children and their children's children, make words idle and eulogy superfluous. They speak the general respect

which the memory of his youth and the service of his manhood have inspired. Yet to quote Whittier:

"'It may be my friend might miss,
"'In his new sphere of heart and mind,
"'Some token of my hand in this.'

"Because of this feeling I pay a willing tribute to the departed Senator. Whatever may be said we trust it will reflect his own philosophy of life and the ideals which that philosophy developed, at the same time helping to bring the lesson of his labor home to each one of us.

"It has been my privilege to watch Senator HEYBURN from the gallery many times during the past few years, and this observation has crystallized into certain definite conclusions. At the center of his purpose was the quality of faithfulness. It was rarely that Senator HEYBURN was not found in his place as the sessions of the Senate dragged their sometimes weary length along. If others were loitering in the lobby or pursuing their private interests, he was attending to his duties, as he saw them, as the Senator of his adopted State. Seriousness of manner and directness of speech made him hew to the line. Yet his labor brought a general recognition for honesty of purpose, so that some of his best personal friends are those not of his political household of faith.

"One distinct service which Senator HEYBURN performed was to put forever at rest the notion that a man who stands for the established order must be a timeserver and dishonest at heart. No one ever heard our friend assail what he fully believed to be present-day folly or uphold the validity of the old ethical and political standards without feeling that the utterance was that of an honest man saying things, however unwelcome or unpleasant, in which he profoundly believed.

"This simple lesson has vital value in our time, when the disposition is to measure worth by prejudice and seeming rather than by the positive performances of the life. It may be in order to say here that the preservation of free government in our country depends upon the recognition of individual worth and an increase in the fundamental faith which men have in their fellowmen.

"Senator HEYBURN was distinctly a man of faith. That faith skipped most of the intricacies of the theological formulas to find its anchorage in the essentials which make up the fiber of a

really spiritual religion. His faith in God was the faith of experience, as his faith in men was the product of knowledge and contact.

"Just before his eyes closed upon the things of the outward day to open upon the hills of the eternal morning, the Senator expressed to his brother the fullness of his heart. He knew that the body, worn and torn in the public service, was about to be dissolved, but he looked into the future, beyond its mists and its mysteries, with hope and confidence and without fear. Of the first immortality, made up of the stream of helpful influence which a man leaves behind him, our friend had made himself certain. In the second immortality, God's gracious gift of life continuous, he had unshaken confidence.

"Living in and catching the softer spirit of our time, death to him was not the visitation of an avenging fury, but another evidence of the kindness and tender mercy of our heavenly Father. Physical death is as biologically necessary as birth, and really no more mysterious, for the mystery of the cradle is as dense as the mystery of the coffin and both are only wisely met by a philosophy of life which considers this life not simply a preparation for death, but a getting ready for more life. In this really Christian and spiritual philosophy Senator HEYBURN lived. The placid contour of his face in death is evidence of the internal motives of his life and labor.

"The last lesson of the hour, that impresses us in the presence of the glory of the outward sunshine and the grandeur of our friend's native hills, is the old lesson of human duty and sympathy as they center themselves to meet the demands of human need. It is the lesson so often illustrated of the magnificent way our human nature responds to the extraordinary events of life. In these times we are always at our best; the selfish and the brutish hide themselves, and the angel of our nature holds the reins. Life at its best is simply life ordinarily as good as it is when the calamity comes, and the extraordinary need impresses itself upon us.

"Our philosophy of life, the practical gospel we profess, should gradually remold us into the even tenor of the more divine life. In this way we become more and more like our Elder Brother, whose meat and drink was to do the will of the Father who sent Him."

Deborah C. Leeds followed with a touching little talk, as did Dr. Hannah M. Thompson, of Wilmington.

The casket was then opened and everyone present passed through the room and gazed for the last time on the face of the man who had befriended so many during his life.

At the grave the services were brief. Henry W. Wilbur delivered the following prayer:

"Our Father, we thank Thee for Thy great gift of life, with its obligations and its opportunities. Wilt Thou so fill us with Thy spirit that we shall always quit ourselves as becometh children of the light.

"We thank Thee for the life and labor of our friend who has gone before us to the silent land. For the strength of the hills which was his and the loyal purpose of his heart as son, husband, brother, and statesman we bless Thee. Wilt Thou make the memory of his faithfulness and devotion to duty an impulse for better things to all who knew and loved him. Camp with Thy spirit round about Thy servants, the servants of the people, that they may serve Thee by serving men, standing in their places for the perfection of the free constitutional government left us by the fathers of the Republic.

"Visit his near and dear ones, we pray Thee, with the ministration of Thy divine love, as the supreme comfort in the hour of their extremity. When this good woman who has been our friend's sympathetic helpmate misses the vanished hands, wilt Thou put into her heart an eternal hope which shall ring as a joy bell in her soul forever, until she goes to join the goodly company of the loved but not the lost.

"Fill us all with an enduring faith and an unshaken confidence, so that when the mists of the evening gather and we can not see we shall look for the lamp of Thy spirit to guide us over the hills into the morning land of God, feeling certain that Thou, the eternal shepherd of souls, will lead us all through the green valleys and beside the still waters of an immortal service. And Thine shall be the kingdom, and the power, and the glory forever. Amen."

Mrs. Isabell Shortlidge, widow of Joseph Shortlidge, of Concordville, then advanced to the edge of the grave on the arm of her son, Prof. Chauncey Shortlidge, and recited a poem. The casket was then lowered into the grave while the near relatives passed to view its last resting place.

The active pallbearers, six cousins and nephews of the dead man, were as follows: Harry Heyburn, Brandywine Summit; Frank Heyburn, Philadelphia; Allen Heyburn, Philadelphia; Paul Heyburn, Brandywine Summit; Wayne Marshall, Swarthmore; George Gamble, West Chester. Frank D. Heyburn and W. Allen Heyburn, two of the bearers, are the sons of Hon. George E. Heyburn, formerly a member of the legislature from Delaware County, and first cousins of the late Senator HEYBURN—George E. Heyburn and Senator HEYBURN'S father being brothers.

The floral tributes, many and handsome, were conveyed to the cemetery in two wagons, and, after the services, were heaped over the grave. They consisted of the wreath sent by the United States Senate, a beautiful wreath of roses from the House of Representatives, a large anchor from the Republican Club of Idaho, a ladder with a broken rung from the Bar Association of Idaho, wreaths from Idaho Woolgrowers' Association and lead workers of the Bunker Hill & Sullivan mine, Wardner, Idaho, a pillow of roses and violets from several employees in Washington, besides numerous other smaller pieces.

In the huge crowd that assembled at the grave were noticed the following persons who had been friendly with the dead Senator during his life: Judge William Voorhees, New York City; Judge Isaac Johnson, V. Gilpin Robinson, Media; Hon. Richard J. Baldwin, Chadds Ford; I. Cary Carver and family, John Huey, George Huey, A. P. Ingram and wife, Horace Butler, C. Wesley Talbot, Esq., William M. Hayes, Esq., Dr. and Mrs. G. M. Philips, Samuel D. Ramsey, Esq., Harris L. Sproat, Esq., Harvey Darlington and family, Thomas W. Baldwin, Esq., Morris Shields, Alban Harvey, John Cuncannon, and Thomas Grady (Kennett Square), Mr. and Mrs. Samuel L. Martindale, Edwin S. Darlington, Norman Barnard, W. W. Heed, T. Darlington Frame, Casper Darlington, Jesse Phipps, Mr. and Mrs. W. Harry Cochran, James F. Cobourn and wife, Dr. Frank P. Cobourn, Joseph Johnson (Downington), James Garvin (Oxford), Percy Darlington, George Lance (Philadelphia).

## Proclamation by the Governor of Idaho

In the death of United States Senator Weldon B. Heyburn the State of Idaho has lost her leading citizen and most honored public servant, and sorrow has entered every home: Now, I, James H. Hawley, governor of Idaho, voice the universal sentiment of the people of the State in requesting that the date of the funeral of our distinguished fellow citizen—Sunday, October 20, 1912—be observed as a day of mourning throughout the Commonwealth that he loved so dearly and served with such marked zeal, ability, and unflinching courage.

May the American flag on all public and private buildings float at half-mast, and in the religious gatherings of the day may the life of the departed statesman be made the theme of patriotic services as a token of the esteem and love in which Weldon B. Heyburn was held by his fellow citizens. His memory will be cherished for the ages, for—

> His life was gentle, and the elements
> So mix'd in him, that Nature might stand up
> And say to all the world, "This was a man!"

Done at the capitol at Boise, Idaho, this 19th day of October, A. D. 1912.

James H. Hawley,
*Governor of Idaho.*

By the governor:

W. L. Gifford,
*Secretary of State.*

## Concurrent Resolution of the Idaho Legislature

Whereas Almighty God in His infinite wisdom has removed from the ranks of earthly endeavor Hon. Weldon B. Heyburn, a stalwart in the higher ideals and principles of civic life and the better human achievements; and

Whereas his death has caused a great loss to the Commonwealth of Idaho and to the Federal Government and to his family and friends: Now, therefore, be it

*Resolved by the senate (the house of representatives concurring)*, That as a token of the keen appreciation for services rendered in behalf of the State of Idaho and the Federal Government that a copy of these resolutions be spread upon the minutes of the journals of both houses and that a copy suitably engrossed be sent to his widow.

## Idaho Memorial Services

[From the Idaho Statesman, Boise, March 3, 1913]

MEMORIAL HELD FOR SENATOR HEYRURN—DECEASED SOLON EULOGIZED IN ADDRESS UPON CHARACTER DISPLAYED BY HIM—A CONSCIENTIOUS WORKER—HAD THE COURAGE OF HIS CONVICTIONS AND FEARED NOT POPULAR CLAMOR

The character of the late Senator Heyburn formed the theme of the eulogies paid to his memory at the memorial exercises held in the Pinney Theater yesterday afternoon. The theater was well filled with members of the legislature and many friends of the former senior Senator from this State attended the exercises. Lieut. Gov. Taylor presided during the afternoon and addresses were made by A. A. Fraser and Judge J. H. Richards. Glowing tributes were given to the memory of Senator Heyburn, in which he was characterized as a man who did not care for popularity, but rather secured his joy from his work by believing that the things which he advocated were right.

A. A. Fraser, the first speaker to pay tribute to the work of Senator Heyburn during the time he represented this State in the upper House of Congress, began his address by referring to the legal attainments of the deceased Senator and his standing among the members of the bar of this and other States in the Northwest. He referred to the great works performed by Senator Heyburn for the benefit of the Nation and the State. The speaker said although he was not a popular man in the accepted sense of the word, that he was a man who had the courage of his convictions and would not stop because he thought that some one might be offended by his telling the truth about matters of legislation or sounding warnings concerning the unstability of the theories advocated by those who wished to secure the attention of the public ear through demagogic utterances.

Mr. Fraser during his eulogy referred to the painstaking manner in which the late Senator did the work which was assigned to him without fear that the position taken or the opinion reached by him would not be popular with the great masses. He referred

to the widow of the late Senator and the great regard he had for his home.

Judge J. H. Richards, in speaking of the late Senator, stated that he thought that he developed his rugged character from his early associations on the farm and in the placer mining camps of the North. He recalled various incidents in the life of the late Senator with which he had personal contact. In speaking of Senator HEYBURN, Judge Richards said:

"Although the great majority did not agree with him in all things, yet there were qualities in his character which were admired by all people. Senator HEYBURN would have risen to prominence in any race of people or any nation, because he had the courage of his convictions and was not afraid to voice them, even if the entire State turned against him for doing so.

"He had the qualities which make for enduring greatness rather than for transitory praise and momentary popularity. It is not the person of Senator HEYBURN that we honor here to-day, but it is those qualities which made his character great that we wish to extol for those who are to come after us. These are qualities which we call noble and go to make up the man; these are the qualities which we call true and which made the late Senator brave and true to his convictions. He was the same always, not shifting with the winds of sentiment.

"It is not the man who always agrees with us that is the safest man for us to follow. It is not the man who rides along on the wave of popularity that does us the most good. The man who has the courage to stand up and tear from our faces the mask of hypocrisy so that we may see ourselves as the world sees us is the man that does the most good for his State and Nation. The man who is always studying the needs of his country and who warns the people of impending clamors and urges them to guard themselves against certain things is the safe man to listen to in the hour of need. Such a man was Senator HEYBURN, who feared nothing and who foretold many of the things which are here and which every indication points to coming.

"When he was in the Senate he did not feel that he represented a little coterie of citizens in Idaho or anywhere else. He represented the Nation at large, and his opinions and convictions were based upon that theory of representation. When he stood in the Halls of Congress and voiced his opinion upon matters, no man from Idaho needed to be ashamed of him or feel reluctant to

admit that Idaho produced men like him. No man was ever confronted by a foe more worthy of his steel than Senator HEYBURN, whether it was in legal battle, upon the stump, or in the making of laws for the government of the Nation. It mattered not to him whether the whole State of Idaho disagreed with him or not, because he never voiced his opinions until he was satisfied he was right. He did not fear that he would say something unpopular. It takes a man of sterling character to stand out before all and tell the truth concerning matters in this day and age, and Senator HEYBURN was one of the few men who had that courage and feared no one.

"He was an industrious man at all times. He did his work without thought of monetary remuneration, but rather from a love of doing things right. If he attempted to dig a ditch he would not think of how much he was to receive for it, but rather would want to dig a better ditch than had been dug before.

"When the matter of placing the statue of Robert E. Lee in the Capitol at Washington was before the Senate, Senator HEYBURN objected. He did not object upon the ground of the individuality of Lee or upon the ground that any individual was involved. He looked at the matter as a thing affecting the Nation. The rebellion was uppermost in his mind and not the individuals who fought in that great war. What he objected to was the rebellion and not to Lee. In this he showed he was not a man concerned about the popular will. It takes courage for a man, whether it be in politics, religion, or socially, to stand up and state his real convictions upon the matter.

"If the people understood the motives which were behind Senator HEYBURN they would love him better."

Representative A. H. Conner read the joint memorial of the two houses of the legislature upon the death of Senator HEYBURN, and it was adopted by a rising vote. The program of the afternoon was as follows:

Invocation, senate chaplain, A. B. Wright; music, orchestra; eulogy, Hon. A. A. Fraser; music, orchestra; eulogy, Hon. J. H. Richards; the question on the adoption of the resolution; benediction, house chaplain, A. L. Chapman; music; and assembly dissolves.

Legislative committee on arrangements: George W. Edgington, senator Bonneville and Bingham Counties; A. H. Conner, representative Bonner County; P. G. Johnston, representative Bingham County.

Among the many messages of sympathy received by Mrs. Heyburn were the following:

[Telegram from President Taft]

BEVERLY, MASS., *October 18, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

Mrs. Taft and I extend to you our heartfelt sympathy in your great sorrow. Senator HEYBURN was an able, consistent, courageous statesman and patriot, and I greatly mourn his loss.

WM. H. TAFT.

[Telegram from Vice President Sherman]

UTICA, N. Y., *October 18, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

I am shocked and grieved almost beyond expression at Senator HEYBURN's taking away. I have long known, with alt his intimate friends, that he has stood at his place in the Senate when he should have been in an invalid bed, but his marvelous bravery and indomitable will it seemed could and would withstand the ravages of physical disease. Alas, that it could not! In his death his country has lost a truly great and patriotic character, a statesman of broad and liberal views, who in the discharge of weighty and numerous obligations knew neither fear nor fatigue, whose sole rule of action was "My country's best good." He will for long be missed by the associates whose admiration and regard his merits and worth won and held. Personally I had for him the veneration and affection of a parent. That affection will endure to you who knew him as no other on earth and to whom this blow is overwhelming. I offer deepest and tenderest sympathy, in which Mrs. Sherman joins.

JAMES S. SHERMAN.

[Telegram from former Vice President Fairbanks]

IOWA CITY, IOWA, *October 18, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

Accept my profound sympathy in your great sorrow. I greatly admired Senator HEYBURN—an able, fearless public servant.

CHARLES W. FAIRBANKS.

[Telegram from former Speaker Cannon]

DANVILLE, ILL., *October 18, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

With deep regret I learn of the death of your distinguished husband. Able, strong, courageous, he lived up to the best traditions of American manhood and served his country well. Accept my sympathy in your great bereavement.

JOSEPH G. CANNON.

[Telegram from Senator Borah]

COTTONWOOD, IDAHO, *October 17, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

I tender you in your great bereavement my sincere sympathy. The State has indeed lost a great Senator. Anything I can do to help you in your sorrow please let me know.

WILLIAM E. BORAH.

[Telegram from Senator Lodge]

NAHANT, MASS., *October 18, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

Deeply grieved by news of Senator HEYBURN's death. Please accept most heartfelt sympathy from Mrs. Lodge and myself.

H. C. LODGE.

[Telegram from Senator Dillingham]

MONTPELIER, VT., *October 19, 1912.*

Mrs. WELDON B. HEYBURN,

*Washington, D. C.:*

I beg to assure you of my deep sympathy in your great sorrow and to express my regret that, owing to engagements which it is too late to break, I shall not be able to be present at the funeral on

Sunday as a member of the Senate committee appointed by the Vice President.

W. P. DILLINGHAM.

[Telegram from Senator Bacon]

NEW YORK, N. Y., *October 18, 1912.*

Mrs. WELDON B. HEYBURN,

*Washington, D. C.:*

I beg to express my profound sympathy and personal sorrow in the death of Senator HEYBURN, for whom I entertained warm personal regard and friendship. His passing away is a distinct loss to the Senate and Nation.

A. O. BACON.

[Telegram from Senator Penrose]

PHILADELPHIA, PA., *October 18, 1912.*

Mrs. WELDON B. HEYBURN,

*Washington, D. C.:*

Accept my sincere sympathy in the great bereavement you have experienced in the death of your distinguished husband.

BOIES PENROSE.

[Telegram from Senator Clark, of Wyoming]

WATERLOO, IOWA, *October 18, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

Mrs. Clark and myself join in heartfelt sympathy with you in your great sorrow. The country has suffered an irreparable loss, but Senator HEYBURN's works will follow and prove a permanent and inspiring benefit.

C. D. CLARK.

[Telegram from Senator Fletcher]

JACKSONVILLE, FLA., *October 18, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

Let me tender my sincere sympathy.

DUNCAN U. FLETCHER.

[Telegram from Senator Lea]

NASHVILLE, TENN., *October 18, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

Mrs. Lea joins me in deepest sympathy upon the death of your distinguished husband.

LUKE LEA.

[Telegram from Senator Massey]

RENO, NEV., *October 18, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

Mrs. Massey and I extend our deepest sympathy in your great bereavement. The State of Idaho and the country have suffered an irreparable loss.

W. A. MASSEY.

[Telegram from Senator McLean]

ROLAND SPRINGS, ME., *October 18, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

Please accept deepest sympathy from Mrs. McLean and myself.

GEORGE P. MCLEAN.

[Telegram from Senator Wetmore]

NEW YORK CITY, N. Y., *October 18, 1912.*

Mrs. WELDON B. HEYBURN,

*Washington, D. C.:*

We are greatly grieved at the Senator's death. Wish to offer our deepest sympathy to you. In his death our country loses an upright and fearless representative. My wife sends you her best love.

GEO. PEABODY WETMORE.

[Telegram from Senator Watson]

FAIRMONT, W. VA., *October 18, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

The death of Senator HEYBURN shocks me beyond expression. You have my most sincere sympathy.

C. W. WATSON.

[Telegram from Senator Sanders]

CHATTANOOGA, TENN., *October 18, 1912.*

Mrs. WELDON B. HEYBURN,

*Washington, D. C.:*

I am very much grieved over the death of Senator HEYBURN. He was especially beloved to me.

NEWELL SANDERS.

[Cablegram from Senator and Mrs. Guggenheim]

PARIS, FRANCE, *October 19, 1912.*

Mrs. WELDON B. HEYBURN,
*Washington, D. C.:*

You have our heartfelt sympathy.

Mr. and Mrs. SIMON GUGGENHEIM.

[Telegram from former Senator Ankeny]

WALLA WALLA, WASH., *October, 18, 1912.*

Mrs. W. B. HEYBURN,
*Washington, D. C.:*

Mrs. Ankeny joins in sympathy in your deep affliction.

LEVI ANKENY.

[Telegram from Gov. Hawley, of Idaho]

MONTPELIER, IDAHO, *October 17, 1912.*

Mrs. W. B. HEYBURN,
*Washington, D. C.:*

I sympathize with your bereavement, which is also the State's.

JAMES H. HAWLEY.

[Telegram from Representative French]

PORTLAND, OREG., *October 18, 1912.*

Mrs. W. B. HEYBURN,
*Washington, D. C.:*

Mrs. French and I are inexpressibly shocked and grieved because of death of Senator HEYBURN. Idaho has lost her foremost citizen and the Nation one of her ablest statesmen. We extend to you our deepest sympathy in this hour.

BURTON L. FRENCH.

[Telegram from former Gov. Brady]

POCATELLO, IDAHO, *October 18, 1912.*

Mrs. W. B. HEYBURN,
*Washington, D. C.:*

I was shocked and grieved to learn of the passing away of your distinguished husband. In his death the Nation has lost one of its greatest statesmen and Idaho one of her most valued citizens. There is no part of the history of Idaho that can be written without giving Senator HEYBURN favorable mention for honest and splendid work for the betterment and upbuilding of our State. Your grief is my grief, and I extend to you in this hour of bereavement my most heartfelt sympathy.

JAMES H. BRADY.

[Telegram from former Governor and Mrs. Gooding, of Idaho]

GOODING, IDAHO, *October 18, 1912.*

Mrs. Gooding joins me in sending you our deepest sympathy in the death of your husband. The State of Idaho and the Nation have lost one of their strongest characters. He always had the courage to fight for those things that he believed were right, and those who knew him best loved him most.

Mr. and Mrs. F. R. GOODING.

[Telegram from United States Judge Dietrich]

POCATELLO, IDAHO, *October 18, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

I learned of death of Senator HEYBURN with the deepest sorrow. Please accept my sincere sympathy. The loss to the State is immeasurable.

F. S. DIETRICH.

[Telegram from Addison T. Smith, secretary to Senator HEYBURN]

TEKOA, WASH., *October 17, 1912.*

Mrs. W. B. HEYBURN,

*Washington, D. C.:*

I am greatly shocked to learn of the Senator's death and hasten to extend my most sincere sympathy. Truly a great man has gone whose marvelous intellect and distinguished service to his country have made an impression on the people which time will not efface. Regret I can not be with you in this hour of grief.

ADDISON T. SMITH.

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